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ABSTRACT

Because of the increasing underutilization of school facilities in Arlington (Virginia), a case study of the management of these facilities was undertaken. The purposes of the study were to discover the political interactions leading to policy decisions on the management of underutilized facilities, to determine the actual policies that resulted from those activities, and to investigate the satisfaction of persons who participated in the process. Two main methods of data collection were used. The first involved the review of documents available within the district and of secondary documents about the district's experiences. The second method was a survey of those who had participated in the decision-making. Results indicate that policy development passed through three periods: a period of preparation for an uncertain future, a time of issue clarification after the enrollment decline was accepted and consolidation of schools began, and a time of implementation of policies that had been consolidated into a single set of priorities and procedures that recognized school and community interests. The general level of participant satisfaction was good. Guidelines for multiple uses of school buildings are included. (Author/IRT)

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MANAGING UNDERUTILIZED SCHOOL FACILITIES RESULTING FROM DECLINING PUPIL ENROLLMENT:

A case study of

Arlington, Virginia

By Joseph Ringers, Jr.

Technical Report 81-202

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FOREWORD

Because of declining pupil enrollment during the 1970's some facilities were underutilized. Researchers predicted that enrollment would continue to decline through the 1980's. The change from growth to decline has propounded problems and has provided opportunities for school administrators in the management of underutilized school facilities in which responses are "tempered or distorted by the realities of local politics."[1]

The number of projected underutilized school facilities, and the effects of declining enrollment on school districts have been well documented. Because of the dimensions of the problem in Virginia, both in the amount of school space affected and in the value of that school space, a case study of the management of underutilized school facilities in Arlington, Virginia, where pupil enrollment had declined since 1968, was undertaken.

The purposes of this study were to discover the political interactions leading to policy decisions for the management of underutilized facilities, to determine the actual policies which resulted from those activities, and to investigate the satisfaction level of persons who participated in the processes which resulted in policy decisions.

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[1]Paul Abramson and others, *Surplus School Space: Options and Opportunities* (New York: Educational Facilities Laboratories, Inc., 1977), pp. 7-10.

Chapter 1

INTRODUCTION

The peak in school enrollment in the United States was reached in the elementary schools in 1969 and in the high schools in 1977. Using the data from her study, Fishlow projected the decline in enrollment to continue through 1983.[1] Sargent and Handy found the United States had reached a zero-population growth pattern by 1972 when there were two and one-tenth children per family. This was a substantial reduction since 1800 when there were seven children per family.[2]

In an effort to explain these changes, Abramowitz and Rosenfeld found that shifting societal values with respect to birth control and family life had combined with economic factors in such a way that people responded by having smaller families. They also found that governing bodies had adopted politices and laws which emphasized limits rather than growth and which resulted in population shifts. They concluded that these conditions had led to the decline in pupil enrollment in the 1970's.[3] They reported that enrollment decline in elementary schools would continue until the mid-1980's and in secondary schools into the 1990's.[4]

Demographers did not recognize the significance of these trends in the decline of pupil enrollment. National and local educators continued to anticipate growth for the public school systems. The optimistic and pessimistic enrollment projections published by the United States Bureau of the Census in 1967 for the years 1980 and 1985 were higher than projections made by the same bureau in 1977. According to Abramowitz and Rosenfeld, "the chance of our present projection occurring would have been on the order of one in 100,000," based upon normally distributed variables and a 95% confidence level in the projections of the mid-1960's.[5]

Pupil enrollment began to decline in 1968 in certain communities from Virginia[6] to California.[7] Decreased numbers of pupils affected staffing levels, program opportunities, finances, and school facilities. The communities affected by the decline in pupil enrollment became more widespread in the early 1970's, and the problems of decline were complicated by shifting enrollment when "central city enrollments declined more rapidly . . . and

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[1]Harriett Fishlow, "Demography and Changing Enrollments," in Susan Abramowitz and Stuart Rosenfeld, eds., *Declining Enrollment: The Challenge of the Coming Decade* (Washington, D. C.: National Institute of Education, 1978), pp. 48-52.

[2]Cyril Sargent and Judith Handy, *Fewer Pupils/Surplus Space* (New York: Educational Facilities Laboratories, Inc., 1974), pp. 12-13.

[3]Susan Abramowitz and Stuart Rosenfeld, eds., *Declining Enrollment: The Challenge of the Coming Decade* (Washington, D. C.: National Institute of Education, 1978), p. 7.

[4]Abramowitz and Rosenfeld, p. 437.

[5]Abramowitz and Rosenfeld, p. 5

[6]Arlington Public Schools, *Committee on Pupil Enrollment Report* (Arlington, Virginia: Arlington Public Schools, 1974), p. 10.

[7]Raymond G. Arveson, "The Shrinking School District," *Management Action Paper*, 2, 2 (September 25, 1972), Association of California School Administrators, p. 1.

suburban and adjacent non-metropolitan areas had less rapid declines."[8]

The phenomenon of declining pupil enrollment became a state problem in 1972 when a statewide decrease in school enrollment was noted in California.[9] Declining enrollment did not become a statewide problem in Virginia until 1977 when school enrollment dropped by almost 18,000. In 1978 25,000 fewer pupils appeared on the school rolls, and 90% of the school districts of Virginia had lower enrollments in 1978 than in 1977.[10] The decline was expected to continue at an average of 17,000 pupils per year over the next decade.[11]

As pupil populations declined, the use of school space became a matter of concern. In 1977 school property in Virginia was valued at $3,452,505,164.[12] Concerned over the need for school officials to cope with the problems which accompany reduced enrollments, Boyer pointed out that "management of school facilities will take a new dimension in the early 1980's."[13]

The Problem of Underutilized Schools

The fact that fewer pupils could be expected to be enrolled in the public schools during the 1980's was well documented. Because declining enrollment was affecting many school districts, the matter of managing underutilized school facilities became a focus of attention. Bishop pointed out that school authorities may be faced "with the difficulties of disposing of excess school facilities . . . which are relatively new and have a good deal of outstanding indebtedness."[14] In 1977 Abramowitz and Rosenfeld pointed out that "school closings rather than school shortages are making the headlines," and that there are "few antecedents for these problems of the 1970's."[15]

As the problem grew more widespread, attention began to be directed to the skills and attitudes needed by school administrators to attend to this problem. According to Boulding, the skills needed to manage a declining institution are different and "in some cases greater

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[8]Russell G. Davis and Gary M. Lewis, "The Demographic Background to Changing Enrollments and School Needs," in Abramowitz and Rosenfeld, pp. 37-39.

[9]Arveson, p. 1.

[10]Letter from R. L. Boyer, Assistant Superintendent for Program Development, Commonwealth of Virginia, February 15, 1979.

[11]"Projected Public School Enrollment, 1979-88," *Public Education in Virginia*, 14 (Winter 1979), p. 10.

[12]Superintendent of Public Instruction, Virginia, *Annual Report 1976-1977* (Richmond, Virginia: Department of Education, 1977), p. 176.

[13]Richard L. Boyer, "Managing for Decline: Problems and Opportunities," *Public Education in Virginia*, 13 (Summer 1977), pp. 10-12.

[14]Lloyd Bishop, "Dealing with Declining School Enrollments," *Education and Urban Society*, 11, 3 (May 1979), p. 285.

[15]Abramowitz and Rosenfeld, p. 1.

than those required to manage a growing institution."[16] The California Commission on State Government Organization and Economy studied the management of surplus school space and concluded that:

> Decreases in the size of anything were not part of an administrator's consciousness . . . there has been a tendency not to confront problems seriously until they are unavoidable and need immediate solution . . . comprehensive assessment and planning have not been thoroughly embraced . . . failure to engage in basic management practices is a manifestation of an absence of proper administrative training . . . an attitude commonly found among district administrators surveyed that underutilized facilities pose no problems . . . more pervasive than this attitude is a general administrator perception which militates against serious consideration of facility matters.[17]

The management of underutilized school facilities in the 1980's will affect large numbers of communities. Major decisions will be made. Major management decisions involve political processes and sophisticated planning systems.[18] Policies result from planning and are a guide to management. The data from several studies appeared to indicate that it was important to record the degree of satisfaction with the processes and the results which were perceived by those who had participated in the actions which guided the management of underutilized school facilities. Berman and McLaughlin found in California that school closings and reprogrammings affected the entire community, and concluded that there must be a general understanding of the process.[19] A New York State planning guide for school districts with declining enrollment contained the caution that the "processes which are adopted to develop plans could be as important as the plans themselves."[20] This same caution is implied in the Code of Virginia, section 22-79 which makes it the duty of school boards to consult with people from the community on important school matters.[21]

From data collected to examine the impact of declining enrollment upon school governance in suburban public school districts, Boyd concluded that "decline related policy making . . . may be heavily affected by distinctive, perhaps unique, configurations of factors."[22]

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[16]Kenneth Boulding in an address to the Regents Convocation in 1974 and reported in *Enrollment Trends, Programs for the Future* (Albany, New York: State Education Department, 1976), p. 19.

[17]California, State of, *A Study of the Utilization of Public School Facilities* (Sacramento, California: Commission on California State Government Organization and Economy, 1978), pp. 11-13.

[18]Edgar L. Morphet, Roe L. Johns, and Theodore L. Reller, *Educational Organization and Administration* (3d ed., Englewood Cliffs, New Jersey: Prentic-Hall, Inc., 1974), p. 170.

[19]Paul Berman and Milbrey McLaughlin, *Federal Programs Supporting Educational Change* (Santa Monica, California: The Rand Corporation, 1975) cited in Abramowitz and Rosenfeld, p.15.

[20]New York, State of, *Enrollment Trends, Programs for the Future* (Albany, N.Y.: State Education Department, 1976), p. 12.

[21]*Code of Virginia*, Section 22-79, "Meetings of the people and local committees."

[22]William Lowe Boyd, "Educational Policy Making in Declining Suburban School Districts," *Education and Urban Society*, 11:3 (May 1979), p. 335.

In his opinion further research was needed, and he suggested "open-ended, in-depth case studies in an effort to discover the anatomy of the subject."[23]

Plan of Study

The descriptive research method was used to accomplish the purposes of this study because it is nonexperimental research and is concerned with functional relationships according to Best.[24] Descriptive analysis may take many forms. Selected for this study were document analysis and survey. Boyd suggested that longitudinal studies which analyzed the interactions in school districts which have experienced declining enrollment would be helpful because not enough was known about the subject to devise research designs which would permit valid comparisons of communities which are diverse in many respects.[25]

The research design used in this study was inductive in nature. The purpose was to discover the interactions and processes used to produce policies and guidelines to manage the underutilized school facilities in Arlington, Virginia. A collection of central office documents was examined and analyzed to find the interactions and processes which affected the policy decisions. To appraise the perceived effectiveness of the processes used in reaching policy decisions, participants in the processes were surveyed. The results and conclusions of this study may be useful to those who have responsibility for the management of underutilized school facilities during a period of declining pupil enrollment:

1. To discover the strategies which were implemented to develop an awareness of the options and opportunities available for managing underutilized school space;
2. To determine the decision-making processes which were employed in reaching decisions on policies, guidelines, and managerial matters;
3. To detect the techniques which were used to maintain or strengthen community support for the decisions which were reached;
4. To ascertain the ways in which other community agencies were involved in the processes; and
5. To find what internal and external concerns may have influenced the decision makers.

Documents on file in the office of the Superintendent of Arlington Schools and the office of the School Board Clerk were used as primary sources of information. Those documents included minutes of School Board meetings, notes of public hearings and work sessions,

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[23]Boyd, p. 335.

[24]John W. Best, *Research in Education* (3d ed., Englewood Cliffs, New Jersey: Prentice-Hall, Inc., 1977), p. 117.

[25]William Lowe Boyd, "Educational Policy Making in Declining Suburban School Districts," *Education and Urban Schools*, 11, 3 (May 1979), p. 335.

notices, correspondence, staff presentations, reports of various groups, petitions, testimonies offered, and various data prepared for use by the School Board of the Superintendent of Schools. Legal constraints and intergovernmental relationships were noted. Opinions regarding the application of legal constraints were reviewed.

Secondary documents were used. These included news articles and an article authored by the Arlington Superintendent of Schools in the May 1979 issue of *Education and Urban Society* in which he examined the political and organizational impacts of shrinking enrollment and consolidation in Arlington. Publications of the Educational Facilities Laboratories, Inc., which reported the Arlington experience were also used.

The documents were organized into the four components for sets of interactions leading to policy decisions in a political system which were described by Mosher[26] as follows:

Issues--Ideas, priorities, proposed solutions to problems.

Individuals--The cast of characters, movers, and shakers.

Institutions--Organizations with enduring qualities, such as agencies and legislative bodies.

Interests--Interest groups, organized support or opposition, those who would benefit or lose, usually external to government agencies.

To determine the perceived effectiveness of the processes used in the policy-making system, a structured questionnaire with a three-point scale was prepared and mailed to 143 persons who were identified from rosters of county and school staffs, related committees and task forces, speakers or correspondents offering testimony, or others who participated in the process of developing policies for the management of underutilized school space. Members of both the Arlington School Board and the County Board of Arlington during the period July 1968 through June 1979 were invited to complete the survey instrument.

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[26]Statement by Professor Edith K. Mosher in a lecture on educational policy analysis at the University of Virginia, March 19, 1979.

Chapter 2

LITERATURE REVIEW

The problem of managing underutilized school facilities was new in the 1970's. Reduced pupil enrollment relieved the pressure on over-crowded schools, made it possible to close sub-standard spaces and buildings, made room for inadequately housed programs and new programs, and allowed school districts to reduce pupil/teacher ratios.[1] In the early 1970s there was little identifiable underutilized space. In the mid-1970s empty classrooms and unused schools existed, and educational authorities began discussing the opportunities and problems which accompanied declining enrollment and underutilized school sapce. However, during this period, few school districts developed policies with regard to the management of excess space. There was little research on the management of underutilized school facilities.

Underutilized facilities were associated with the issue of school closings. The first school closings triggered emotional reactions from the community. According to Keough:

> The recommendation to close the . . . school represented the district's first attempt to economize through facility consolidation . . . Shock, dismay, surprise and anger were but a few of the emotions which this recommendation triggered among the parents.[2]

Cuban found that the community was upset with each threatened or actual closing even after a policy and decision-making process was developed:

> Thus, each fall after 1975, merger candidates were identified and debated. Work sessions, superintendent recommendations, public hearings, angry parents, and board decisions unfolded each year in an annual rhythm that—there is no other word—upset the community.[3]

During this period of time, few school districts had adopted policies for school closings and reprogrammings. Indecision and unwillingness may have accounted for the lack of formal policies. Fredrickson noted that "most school officials and their boards are loath to relinquish possession or control of existing school facilities."[4] One New York superintendent stated that

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[1]Cyril G. Sargent and Judith Handy, *Fewer Pupils/Surplus Space* (New York: Educational Facilities Laboratories, Inc., 1976), p. 28.

[2]William F. Keough, Jr., "Enrollment Decline: The Dilemma from the Superintendent's Chair," *Declining Enrollments: The Challenge of the Coming Decade*, eds. Susan Abramowitz and Stuart Rosenfeld (Washington, D. C.: National Institute of Education, 1978), p. 342.

[3]Larry Cuban, "Shrinking Enrollment and Consolidation: Political and Organizational Impacts in Arlington, Virginia 1973-1978," *Education and Urban Society*, 11(May 1979), p. 374.

[4]John H. Fredrickson, "Must Declining Enrollment Mean Closing Schools?" *American School & University*, June 1976, p. 61.

his district's report covering consolidation intentionally did not "deal with policies or provisions regarding disposition of surplus property, but rather alternatives in each consideration."[5] He explained this was because of diverse conditions from one situation to another. Indecision and unwillingness to act were such common reponses that NIE researchers reported that "one of the greatest hazards is 'indecision and perennial drift—a condition which for many seems preferable to difficult policy decision-making.' "[6]

Because pupil enrollment was expected to continue to decline, some activity directed toward policy development was undertaken. In 1970 some California school districts began to conduct studies for the purpose of determining which elementary schools to close.[7] In Arlington, Virginia, the School Board established a citizen committee in the fall of 1973 to consider the issue of declining enrollment.[8] One result of the work of the Arlington committee was the development of criteria for determining the "working capacity" of a school.[9] Using the criteria, school officials could calculate the underutilization of a school facility. The calculation to determine working capacity included consideration of the requirements of special programs which restricted full utilization of the standard capacity of a school building.

By the spring of 1975, the problem was widespread enough for the State Superintendent of Schools in Illinois to appoint a Task Force on Declining Enrollments. This task force outlined many program opportunities for using the surplus space which resulted from declining enrollment.[10] However, they noted that bringing public and social service programs into underutilized school space would be resisted by the "traditional attitude of unwillingness to develop shared school/community activities."[11]

In 1976 the Department of Community and Economic Development in Montgomery County, Maryland, issued a report to describe the first year's experience and activities in closing surplus schools and reprogramming them for other purposes. The report contained a flow chart which portrayed the sequence of actions and the agencies involved in the process of effecting the closure of schools and transacting their reuse in Maryland.[12]

[5]Letter from Edward J. Murphy, Superintendent of Schools, Syosett Central School District, New York, May 29, 1979.

[6]Susan Abramowitz and Stuart Rosenfeld, eds., *Declining Enrollment: The Challenge of the Coming Decade* (Washington, D. C.: National Institute of Education, 1978), p. 15.

[7]Raymond G. Arveson, "The Shrinking School District," *Management Action Paper*, 2, 2 (September 25, 1972), Association of California School Administrators, p. 42.

[8]Arlington Public Schools, *Committee on Pupil Enrollment Report* (Arlington, Virginia: Arlington Public Schools, 1974), pp. 1-2.

[9]Arlington COPE Report, p. 2.

[10]Illinois, State of, *Report of the Illinois Task Force on Declining Enrollments in the Public Schools* (Springfield, Illinois: Office of Education, 1975), pp. 60-65.

[11]Illinois, p. 60.

[12]Montgomery County, Maryland, *Surplus School Disposition and Reuse* (Rockville, Maryland: Department of Community and Economic Development, 1976), p. 15.

About the same time, the school board of Eugene, Oregon, appointed a task force of citizens "to make a comprehensive study related to all aspects of possible closure of small schools."[13] The Small Schools Task Force issued its final report in 1976 and it contained a recommendation that the "school board should set a policy for the most desirable uses of this space and develop a procedure to attract and evaluate potential users."[14] Three years later school officials reported that no action had been taken with respect to the report. Assistant Superintendent Larry W. Barber reported the following:

> We have had our superintendent resign over an issue with the board. We have been looking for a new superintendent and we have not done much else. No new policy has been established, no new procedures, no resolution to the decline in enrollment nor to the issues of small schools. In essence, we are now, with this problem, where we were three years ago. Nothing new, nor different.[15]

From this statement, it was not clear whether the issues of decline and the resignation of the superintendent were related.

A task force of the Michigan Department of Education offered recommendations in 1977 concerning policies for managing underutilized facilities during a period of declining enrollment. Their recommendations were directed primarily at state level policies. They recommended financial assistance for the transportation of pupils of growing school districts to adjacent school districts with underutilized school facilities, and for the conversion of vacant school facilities to vocational-technical centers for higher education purposes.[16]

In 1977 the School Board of Fairfax County, Virginia, established task forces to develop policies for declining enrollment and the efficient use of excess school space. The Countywide Citizen Task Force recommended that underutilized space be managed as a total community resource and that a Community Coordinator, reporting to the County Executive, be appointed "to coordinate the use of facilities, particularly space in excess of school needs."[17]

Also in 1977, the Commission on California State Government Organization and Economy formed a subcommittee to review school facility utilization and to investigate methods of improving the management of those facilities. Committee members had hoped to find universal criteria which could be applied to the management of school facilities, but they found

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[13]Eugene, Oregon, *Small Schools Task Force, Final Report* (Eugene, Oregon: School District 4J, 1976), p. 1.

[14]Eugene, Oregon, p. 4.

[15]Letter from Larry W. Barber, Assistant Superintendent of Schools, School District 4J, Eugene, Oregon, May 17, 1979.

[16]Michigan, State of, *Michigan's School Enrollment Decline: Projections and Implications* (Ann Arbor, Michigan: Department of Education, 1977), p. xxx.

[17]Fairfax County, Virginia, *Declining Enrollment and Efficient Use of School Facilities* Fairfax, Virginia: County School Board, 1978), pp. 10-11.

that "school district characteristics vary greatly and this variation precludes blanket statements about their condition or operation."[18] The Committee identified specific issues which should be recognized at the local level, and described alternative uses for underutilized school facilities.[19]

During this period, activities in some school districts made it apparent that policies for managing underutilized school facilities existed, although no formal policy statement had been adopted. St. Louis Park, Minnesota, was an example of a school district which had no formal policy statement, but did offer to lease office space for community services in its underutilized school facilities.[20] Hickey noted that the community had lost approximately one-third of its enrollment and was concerned about underutilized school space:

> A high priority of the St. Louis Park School Board for the past several years has been to find effective means of utilizing closed schools or disposing of them in a manner that will bring back to the school system some of the millions of tax dollars these empty buildings represent.[21]

The Council of Big City Boards of Education, a unit of the National School Board Association, became concerned with declining enrollment and the need for policy development in this area in 1977. The officers of the Council formed an ad hoc committee to examine the issue of declining enrollment and its impact. The report of that committee described declining enrollment as one of the major educational issues confronting urban school boards, and advised school boards to develop and publish policies and guidelines for the use of closed school buildings at the same time that it considered closing schools. The committee recommended substantial community involvement in the city school board's decision-making process. In school consolidation activities, they found that "community opposition often centers as much around fears or uncertainties about what will become of empty buildings as it does around the actual question of closure."[22]

Policy Areas to Consider

In the early efforts to manage underutilized school facilities, several areas in which policies should be considered were identified. Noting that some New York state school districts had lost as much as 20% of the student enrollment by 1975, the Office of Research, Planning, and Evaluation of the New York State Education Department prepared and issued

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[18]California, State of, *A Study of the Utilization of Public School Facilities* (Sacramento, California: Commission on California State Government Organization and Economy, 1978), p. 11.

[19]California, pp. 21-28.

[20]Letter from Michael E. Hickey, Superintendent of Schools, St. Louis Park, Minnesota, March 30, 1979.

[21]M. E. Hickey, "Here's how to prevent closed schools from becoming empty buildings," *American School Board Journal*, February 1979, p. 29.

[22]*Declining Enrollment: Its Challenge for Urban School Boards* (Washington, D. C.: National School Boards Association, 1978), p. 15.

a pamphlet in which the trends were described. It was suggested that school boards give careful and thoughtful consideration to the development of policies to meet the problems associated with decline.[23] The report included a description of the way in which one school board was able to create a positive climate for cooperative investigation by approving several policies. One of the policies stated that alternative use had to be devised for a school plant before it was closed for regular school use. Another policy stated that the proposed reuse must be beneficial to the community.[24] Other areas in which policy development was suggested were the use of legal counsel when alternative uses or the disposal of property was considered, options for the use of revenue derived from surplus school buildings, and provisions for participative decision making processes when considering disposition of underutilized space or surplus school buildings.

Researchers from the Columbus, Ohio, public schools surveyed 58 school districts in 1977 "to determine what written policies or procedures they have developed for the reallocation or disposal of vacant buildings."[25] Only five school districts, including Arlington, Virginia, provided policies or procedural statements.[26] Content elements which those researchers recommended for policy statements after analyzing the data included: the establishment of priorities for disposal of unneeded facilities; the establishment of priorities for selecting purchasers or tenants; the designation of a person to administer the underutilized facilities; and the provision of participative decision making options, including "public hearings, consultations with local political subdivisions, and consultations with local community leaders."[27]

Many sources directed their attention to the financial opportunities related to underutilized facilities. The California Commission noted that "underutilization of facilities and the poor maintenance of facilities tend to be mutually aggravating conditions,"[28] and they noted advanced stages of deterioration of school buildings in districts with declining enrollments.[29] To relieve the maintenance problem, the Commission recommended that:

> Since even unused facilities require maintenance to keep them from deteriorating, this benefit [concentration of maintenance funds through consolidation] will be realized only if maintaining the unused

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[23]New York, State of, Enrollment Trends, Programs for the Future (Albany, N.Y.: State Education Department, 1976), p. iii.

[24]New York, p. 13.

[25]Columbus, Ohio, *Building Phase-out Study* (Columbus, Ohio: Columbus Public Schools, 1976), p. 1.

[26]Letters from Charles Hall, Assistant Superintendent for Business Affairs, Columbus Public Schools, Columbus, Ohio, March 22, 1977.

[27]Columbus, pp. 2-3.

[28]California, p. 33.

[29]California, p. 29.

> facilities is eliminated from the regular maintenance budget. There are basically two desirable ways of achieving this: 1) sell the facilities, or 2) lease them for a charge which covers their ongoing maintenance costs . . . the revenue derived from the sale or lease of surplus facilities could be used to reduce maintenance backlogs or deficiencies.[30]

The California Commission noted that the California Code specified the way in which the proceeds of sale of property must be used. They found that the proceeds of sale could be used only for capital outlay purposes, but that the Code also contained an appeal process which could permit application of those funds as suggested by the Commission.[31]

In New York, the disposition of the proceeds of sale or lease of real property appeared to be an appropriate area for policy-making. The State Education Department pamphlet included a statement that New York law permitted the local board of education discretion in the way the proceeds of sale could be used. It stated:

> Such funds may be applied to one of the following at the discretion of the board of education:
>
> a. utilized for existing bonded indebtedness,
>
> b. applied to construction, reconstruction, or renovation within the district,
>
> c. applied to the general fund of the district.[32]

In most sources the need for involving the community and the immediate neighborhood in the decision-making process was emphasized. According to the California Commission, the California law was very specific regarding community involvement. It stated:

> To ensure that the space is only let for uses acceptable to the community, the legislation requires establishment of an advisory committee of district officials and a representative group of community persons. Its function is to investigate and review pertinent aspects of a potential lease agreement. In addition, the legislation requires public meetings regarding proposed leases.[33]

The New York pamphlet included a recommendation that the community be involved in the decision-making process for alternative use of school space. It recommended that:

> Before any final determination of the tenant is made by the board of education, full and ample opportunity be given at local community meetings to apprise residents of the nature of the tenant's activities.[34]

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[30]California, p. 33.

[31]California, pp. 22-23.

[32]New York, p. 42.

[33]California, p. 24

[34]New York, p. 45.

The recommendation included in the report with regard to the sale of school buildings was more specific and included the suggestion that neighbors and existing organizations be involved. It stated:

> It is recommended that meetings with appropriate community groups be held so that the board of education and the chief school administrator have received input prior to the actual sale of the buildings. These groups should include residents of the immediate neighborhood, the Chamber of Commerce, PTA groups, civic associations, and depending upon the age of the school, possibly the local historical society.[35]

The decision-making process in Minneapolis, Minnesota, provided for the involvement of city officials. The process began with citizen committees, task forces, and staff reports alerting the board of education that school property was expected to become available for alternative use. When a specific property was available for disposition, a "site disposition" committee was established consisting of representatives from: School districts, Affected neighborhood organizations, Nearby residents and others interested in its use, City Planning Department, and Aldermanic offices.[36] Inclusion of the City Planning Department and aldermanic offices added another dimension to the decision-making process. Because all proposals must comply with the comprehensive plan for the city, and because zoning changes might be necessary, representatives from those offices were included in the subsequent approval processes.[37]

The Illinois Task Force on Declining Enrollment offered the following recommendations concerning facility closings:

> The Illinois Office of Education should establish a Resource Center on Declining Enrollments. A major function of this Center would be to maintain a computerized data bank to inventory vacant classrooms and school buildings throughout the state. This Center should serve as coordinator between the potential users of school space (e.g., state agencies and community organizations) and school districts, so that potential users could contact only one source to get statewide information regarding school vacancies. In addition, this Center could assist local districts with legal concerns relating to the closings and sale of buildings.[38]

This Task Force recommendation was contrary to the recommendations found in most other literature. It was not explained how the community interests would be represented effectively if a state agency served as coordinator for reprogramming excess or underutilized school space.

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[35]New York, p. 43.

[36]Minneapolis, *A Report on the Usage and Status of Unneeded School Property* (Minneapolis: Special School District No. 1, Minneapolis, Minnesota, January 15, 1979), p. 2

[37]Minneapolis, p. 3.

[38]Illinois, State of, *Report of the Illinois Task Force on Declining Enrollments in the Public Schools* (Springfield, Illinois: Office of Education, 1975), p. 46.

Legal Background

The legal background related to school facilities management in Virginia was studied because the policy elements included in local policies for the management of underutilized facilities must be consistent with the statutes. Because this study pertained to Arlington County, Virginia, only those sections of the Code of Virginia which were concerned with county school boards were reviewed. No court cases were found which apply to the topic of underutilized school facilities. Opinions of the Attorney General for Virginia which applied to the management of school facilities were also examined.

Educational writers agreed that school boards and school administrators should obtain legal advice when declining enrollment resulted in underutilized school facilities and before decisions were made concerning the disposition of those facilities. Examples of the legal factors to be considered included ownership and control of real property by county school boards, community involvement in the decision-making process, use of school facilities for purposes other than public education, and disposition of the proceeds from the sale or lease of real property of the schools.

Ownership and Control of Real Property

County school boards in Virginia were found to have the same power to acquire, hold, sell or exchange, or convey real property as the governing boards of counties. Section 22-147 of the Code of Virginia provided that title to real, personal, or mixed property was vested in the county school board, and that the board had the power to "invest and manage the same and apply the profits thereof for the purpose of education."[39] The Attorney General held that the acquisition and management of real property was the prerogative of the county school board and that the county board of supervisors controlled only the amount of the appropriation for the real property.[40] In another opinion, he stated that the school board and the county could take title together for property to be used for administrative purposes, but title for any portion of real property used for schools was required to be vested solely in the school board.[41]

Section 22-161 of the Code covered the matters of sale, exchange, and conveyance of school board property.[42] This section also provided authority to school boards to be lessors or lessees of property. One question regarding a long-term lease which a school board wished to execute was referred to the Attorney General who offered the opinion that a 99-year lease must be processed as a sale and conveyance which required approval and ratification by the circuit court or in that case, a court of the city.[43]

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[39] *Code of Virginia*, Section 22-147, "Property set apart for school purposes vested in and managed by county school boards."

[40] 1961-62 Opinions of the Attorney General 228.

[41] 1956-57 Opinions of the Attorney General 235.

[42] *Code of Virginia*, Section 22-161, "Sale, exchange or lease of property."

[43] 1955-56 Opinions of the Attorney General 184.

In addition to the requirement that sales and conveyances of real property be submitted to the court for approval and ratification, school boards were required to exercise good business judgment in such transactions. They did not have the power to make a gift of the property. All transactions were required to be for the benefit of the school district.[44]

Because declining enrollment could affect a school district so severely that the school board might consider joining with another school district or another agency in order to fulfill its purpose, the questions of joint ownership and interagency programs were investigated. The establishment of joint schools between jurisdictions was authorized, and provided that the consent of the State Board of Education to the arrangement was required.[45] In the event that a school board wished to join with another agency for the performance of certain functions, section 15.1-21 contained authority for the joint exercise of powers with political subdivisons of the state of Virginia or any other state.[46] It was required that appropriate action be taken by ordinance, resolution, or other agreement; the contents required to be included in such agreements were set forth in section 15.1-21.

Community Involvement in the Decision-Making Process

It was the duty of the school board to call meetings of the people of the county for consultation in regard to the school interest when deemed necessary by the board.[47] No specific requirements for calling or conducting such meetings were set forth in the statute. The decision of when and how to involve the community appeared to be solely within the purview of the school board. Also, school boards were authorized to appoint local school committees for advisory purposes and "to cooperate with the board in the provisions for the care of the school property."[48]

Declining enrollment and the management of underutilized school facilities were considered to be new problems by educational authorities. Because the section of the Code which contained provisions for calling meetings or for forming advisory committees of people of the county has not been revised since 1952, it appeared that the writers of those provisions did not envision the need to consider managing underutilized school facilities. However, this section of the Code did make clear the intent of the legislature to have county school boards seek the advice of the community on matters of serious consequence.

Use of Schools for Non-School Purposes

By joint resolution in 1972, the Virginia Senate and House of Delegates declared it to

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[44]1970-71 Opinions of the Attorney General 340.

[45]*Code of Virginia*, Section 22-7, "Joint schools for counties or for counties, cities, or towns."

[46]*Code of Virginia*, Section 15.1-21, "Joint exercise of powers by political subdivisions."

[47]*Code of Virginia*, Section 22-79, "Meetings of the people and local committees."

[48]*Code*, Section 22-79.

be the policy for the Commonwealth of Virginia that localities expand access to public school facilities for community-wide educational and recreational uses and to encourage community-wide education programs.[49] Authorization was contained in section 22-164 of the Code for non-school use of facilities. School boards were authorized to permit the use of school facilities, "out of school hours during the school terms or in vacation" for any legal assembly, but they were not required to do so.[50] The use of schools as voting places was specifically authorized, and school boards were permitted to execute agreements with certain library boards to allow local or regional libraries to operate within school buildings provided there was sufficient space and when there would not be substantial interference with the operation of the schools. Although this section was silent with regard to the provision of combined library services in schools for both community and school purposes, section 15.1-21 appeared to contain authority for combining services under the provisions for the joint exercise of powers.

Subsections of 22-164 included the general conditions which were required of school boards in order to permit the use of school buildings for non-school purposes.[51] Those conditions were that such use would not impair the efficiency of the schools, and that rules and regulations for such provisions would be adopted by the school board. Power to permit non-school use of school buildings could be delegated to the superintendent of schools by the school board under certain circumstances which were described in these subsections. The Attorney General was consulted regarding the charging of fees for the use of school buildings, and he advised that fees could be charged to cover minimum expenses without the school board and its members losing governmental immunity against tort actions which might arise from such use.[52]

Attorney General Coleman offered the opinion that the Code of Virginia did not empower school boards to operate non-school programs without express statutory authorization. This advice was given in response to an inquiry about the power of certain school boards to provide extended hours programs in school facilities for students before and after school hours. Coleman stated that the "powers of school boards are limited to those expressly granted, necessarily implied, or essential and indispensable to the functions of such board."[53]

The question of leasing space to agencies of foreign governments arose in Arlington, and advice of local counsel was sought. Attorney Towner advised that foreign government

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[49]*Senate Joint Resolution 22* adopted by the Virginia Senate February 4, 1972 and by the House of Delegates March 8, 1972.

[50]*Code of Virginia*, Section 22-164, "Use of buildings for other than school purposes."

[51]*Code of Virginia*, Section 22-164.1, "Boards may permit such use as will not impair efficiency; general conditions," and Section 22-164.2, "Boards may impose certain specific conditions."

[52]1953-54 Opinions of the Attorney General 189.

[53]Marshall Coleman, Attorney General for the Commonwealth of Virginia in a letter dated December 11, 1978 to the Honorable Vincent F. Callahan, Jr., Member of the House of Delegates.

agencies have diplomatic immunity which could be troublesome in contractual matters such as leases. He indicated that there were difficulties in interpreting sections of Public Law 94-583, "The Foreign Sovereign Immunity Act of 1976," the apparent purpose of which was to subject foreign governments and entities to the jurisdiction of United States courts for what was designated in the Act as "commercial activity."[54] Upon receiving this advice from their counsel, the School Board of Arlington revised its policy covering the utilization and disposition of real property to restrict leasing to "organizations and individuals who are subject to the laws of the United States, Virginia, and Arlington County."[55]

Proceeds from Sale or Lease

Conflicting opinions by attorneys general for Virginia are recorded on the issue of whether or not appropriations by the governing board are required before the proceeds received from the sale or lease of school properties may be expended by school boards. One opinion was that "all public moneys collected by the County are subject to appropriation power of the governing board."[56] The second opinion advised that "funds received by the county treasurer from the sale or rental of school property should be placed to the credit of of the school board. No appropriation is necessary."[57] Because the governing board has the power to appropriate other funds, adjustments could be made in the amount of those appropriations to recognize the revenue from property sales and rents. Therefore, the question appeared moot. A bill was offered during the 1978 legislative session to amend this section of the Code and to clarify the issue. The bill would have provided school boards with the power to expend the proceeds from the sale, exchange, or lease of property without appropriation of such funds by the governing body, but the bill failed.[58]

Summary

While few formal statements of policy and guidelines were available for review, recommendations were found in various state and local reports as well as in the current literature. The Code of Virginia appeared to allow for local determination of policy in many aspects of real property management by school boards, and policy elements were identified from those sections of the Code. The review of the literature revealed the following areas which should be considered for the management of underutilized school facilities:

Development of Policies

a) Should formal policies be adopted and published?

b) Should policies remain informal?

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[54]Letter from George C. Towner, Jr., Esquire, dated January 26, 1979.

[55]Arlington Public Schools, ASD 40-9.3, *Utilization and Disposition of Real Property*, revised February 1979.

[56]1959-60 Opinions of the Attorney General 301 (in re: 22-161).

[57]1959-60 Opinions of the Attorney General 308 (in re: 22-147).

[58]House Bill 1945: A bill to amend and reenact section 22-161 of the Code of Virginia relating to conveyance or lease of school property.

c) Should each situation be considered in isolation?

Identification of Underutilized Space

a) What criteria should be used to determine whether or not space is available for alternative use?

b) Who should make that determination and through what process?

c) When should that determination be made?

Alternative Use Priorities

a) Which alternative uses will be given priorities?

b) What uses are compatible with school programs, or how should compatability be determined?

c) At what stage should sale be considered as an alternative use?

Consideration of Alternative Use

a) Should alternative use be considered as an option to closing a small school?

b) Should alternative use await a decision to close or consolidate a school?

c) Should these options be considered during the consolidation process?

Process for Consideration of the Reprogramming or Disposition of Underutilized School Facilities

a) What groups and individuals will be consulted and invited to comment on reprogramming or disposition of facilities?

b) Will new groups be established, or will existing community groups be used? Will other agency representatives be included?

c) What processes will be used: public work sessions, public hearings, public meetings, committees, task forces, or other techniques?

d) What charge, criteria, or guidelines will be provided to the persons involved in the decision-making processes?

e) How will the space be marketed? Will it be advertised, will marketing be handled by agents or employees, will firm prices be established or will proposals be considered?

f) How will the property be managed if it is leased, will multiple tenants or subtenants be considered?

Financial Consideration

a) What services will be provided to tenants, and how will they be charged?

b) What disposition will be made of the proceeds of sale or lease of the property?

Chapter 3

THE POLICY-MAKING PROCESS

Annually, the Arlington School Board adopted a set of Arlington School Directives (ASDs) which contained the policies and procedures for the administration and management of the schools. These were adopted or modified when the Superintendent made recommendations. A review of the School Board minutes revealed that major policy issues were proposed at one session, referred to the Superintendent for a recommendation, and considered for action at another session. School consolidation processes and disposal of facilities through lease, sale, or transfer to another agency involved hearings, workshops, and group actions—committees or task forces.

Central office documents were examined by organizing them as sets of interactions in a political system to determine the issues and influences which affected policy decisions. The research findings regarding issues, events, influences, and individuals or organizations involved are presented in a way that reveals the interactions which took place and which appeared to influence the policy makers and the decisions which they made.

Period of Preparation—1968 to 1974

This phase was the period in which changes were occurring and relationships were developing which would affect the management of school facilities. It was a period when there was a reluctance to accept the decline in pupil enrollments as anything but a temporary condition. During this period some accommodation for non-school uses was found in the underutilized space in some school buildings. Because of capital improvements at some schools and replacement of others, four buildings were declared surplus to regular school needs. These were reprogrammed into other school purposes (alternative school programs, adult education, manpower or other programs) or to County recreation or leisure-time programs (senior citizens, performing arts, community centers, or general recreation).

Policy Developments

School enrollments peaked at 26,304 in 1968. Construction of new facilities was still taking place. In 1969 the first jointly (school and county) funded, occupied, and operated facility (the Thomas Jefferson Junior High School and Community Center) was authorized through an agreement executed by both the School Board and the County Board of Supervisors (hereinafter referred to as the County Board). This agreement provided that the School Board shall annually include in its budget request funds for the operation of this Junior High-Community Center. The School Board elected to establish a Community Activities Fund to keep this expenditure from inflating the school budget because the Board was sensitive to comparisons of per pupil operating costs. A second agreement was executed in May 1970 for the operation of three swimming pools built with county funds on school property to be managed by the School Board. The language in this agreement was directed to the point as follows:

> The County Board agrees to provide separate funds for the swimming pool operation and that these costs shall not be reflected

in the per pupil operating costs of the regular school operating budget.[1]

When an elementary school became available for alternative use following the construction of a new building, the community activities fund concept and a formally adopted policy of the School Board were the bases for an administrative agreement setting out the cost-sharing arrangements for three separate agencies to occupy the building–the Adult Education Program, the Recreation Division, and the Community Action Program, which was partially funded by the County Board.

In 1971 seven smaller schools became available for reprogramming because of capital programs which had increased the inventory of school space in the system, and because pupil enrollments were declining. The School Board engaged a consultant to advise them regarding the disposition of these properties. The Board was concerned about the effect certain urban changes might have on the school system and communicated this to the consultant as follows:

> The Arlington School Board is considering the retention of these properties based upon the public schools' interest, yet recognizing the uncertainties of future school populations, the impact of the rapid transit and highway systems, the need for playgrounds and open space in a rapidly growing urban environment, potential changes in regular school programs, and the need for expanding and new educational programs.[2]

The consultant recommended a variety of alternative school programs which could be accommodated in each of the facilities on short, intermediate, or long range bases. The consultant recognized that all recommendations would not be adopted, and expressed concern over releasing public property as follows:

> In the United States, most local political jurisdictions have historically sold surplus property without fully considering the extremely long-range (more than 20 years) use of property for public purposes or the need to direct and control private reuses in the public interest.[3]

The report concluded with the suggestion that legislative authority be sought for alternative methods of managing underutilized facilities.

Five months later the School Board adopted the following policy restricting property sales:

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[1]*Swimming Pool Agreement* signed by the Chairman of the School Board on May 4, 1970 and by the Chairman of the County Board on May 5, 1970 (Arlington, Virginia: School Board, 1970).

[2]Raymond, Parish, Pine & Plavnik, *School Site Evaluation Study* prepared for the Arlington County School Board, June 1972, p. 1.

[3]Raymond and others, p. 41.

> It is the policy of the Arlington School Board to dispose of real property only under unusual circumstances when the public interest is served better by the sale than by holding the property. It is also the policy of the School Board that surplus property be offered first to the County Board for other public use before considering private sales.[4]

Maintenance support services. Turning properties over to the County for other public purposes invested the County staff with property management problems for which they had limited capacity. The traditional method was for each using agency (Fire Department, Library, Human Resources, and Recreation) to provide maintenance and custodial support for their separate buildings. When former schools were devoted to recreation programs, the Recreation Division requested assistance from the School Maintenance Division after experiencing difficulty with the work of contractors which was described as follows:

> It is apparently not possible for us to locate a contractor who can find his way through the maze of pipes, etc., in a timely fashion when problems occur.[5]

Requesting use of the school maintenance staff on a reimbursable basis capitalized on the skills which that staff had attained as well as on their knowledge of the idiosyncracies of the former school plants. Adoption of the following policy permitted the school staff to provide this service on a second priority basis:

> Arlington Public Schools maintenance and auxiliary services resources will be used primarily in support of programs and activities for Arlington Public Schools. To the extent of resource availability, Arlington Public Schools may provide auxiliary and maintenance services on a reimbursable basis to Arlington County activities when so requested by County Officials and upon approval by the Assistant Superintendent for Finance & Business Management.[6]

The Policy Makers

A new superintendent of schools was appointed in 1969 by the School Board, which was composed of four Independent-Democrat and one Republican appointees. The Independent-Democrats dominated the County Board of Supervisors by a three to two margin. The November 1969 elections resulted in a shift to three Republicans and two Independent-Democrats on the County Board, but the dominant party on the School Board remained Independent-Democrat throughout the period of study in spite of three shifts in the majority of the County Board (1969, 1971, and 1979). Political affiliations of policy-makers are shown in Table 1.

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[4]Arlington Public Schools, ASD 40-9.3 *Sale of Property,* November 1972 (Arlington, Virginia: School Board, 1972).

[5]Memorandum from William L. Hughes, Director of Department of Environmental Affairs to K. G. Buglass, Director of Arlington School Facilities, June 26, 1976.

[6]Arlington Public Schools, ASD 40-3.3.6 *Accounting Procedures–Auxiliary and Maintenance Services Provided to County Departments,* September, 1974 (Arlington, Virginia: School Board, 1974).

The County Manager sought greater use of the schools for non-school purposes by addressing public forums as follows:

> Increasingly, schools could become neighborhood centers for adult education and family recreation.[7]
>
> Likewise, the school buildings should become a focal point for community use by children, young adults, and adults alike.[8]

This concept had such great success that five years later the Manager entitled his annual speech to the Civic Federation "We Did It Ourselves," and he pointed with pride to 15 joint projects and shared services involving the schools and other County agencies.

Table 1

The Policy Makers

Year	*The School Board* Independent-Democrat	Republican	*The County Board* Independent-Democrat	Republican
1968	4	1	3	2
1969	4	1	2	3
1970	4	1	2	3
1971	3	2	3	2
1972	3	2	3	2
1973	3	2	4	1
1974	4	1	5	0
1975	5	0	5	0
1976	5	0	3	2
1977	5	0	3	2
1978	5	0	3	2
1979	5	0	2	3

Internal Influences

The School Board appointed a Committee on Pupil Enrollments (COPE) on September 13, 1973, and requested the committee to estimate pupil enrollments for the succeeding five and ten year periods and to assess the implications of those trends for the school system. The committee concluded that enrollments would continue to drop, and suggested re-districting or consolidating actions which would result in eight elementary schools being closed. They suggested a two-phased plan in which four schools would be closed initially and alternate non-school use of these facilities would be addressed.

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[7]Bert W. Johnson, County Manager of Arlington, Virginia, in a speech to the Arlington Civic Federation in January 1968.

[8]Bert W. Johnson in a memorandum to the County Board of Arlington, Virginia, November 28, 1969.

No comments with regard to policies or guidelines for underutilized space were included in the report. The committee noted that policies outside the jurisdiction of the School Board—housing, planning, and zoning—could have the effect of slowing the decline in numbers of families living in Arlington. The report focused attention on the need for considering the multiple problems of decline, especially those relating to facilities. One recommendation was that no bond issues for additional classrooms should be approved for the foreseeable future. It was not clear from the report whether or not the committee had information on the total area of the school plant. A subsequent citizen task force on energy matters noted that "since the school year 1970-71, enrollment has declined 26% while building area has increased 21%."[9]

In 1971 a desegregation plan for the use of two black schools was filed by the Arlington School Board with the U.S. Court of Appeals for the Fourth Circuit to resolve an action brought by a group of community residents against the School Board. That plan provided that non-regular school programs be housed in each building. The buildings were to remain in use even though they were underutilized. The Court accepted the plan.

External Influences

In mid-1971 one of the largest garden apartment complexes in Arlington began to serve notice to residents requesting them to vacate in order that the units might be remodeled and converted to condominiums. Actual conversions started in 1972 and the reduction in enrollment in the neighborhood school was noticed. The principal began to work with the community to find non-school programs to utilize available spaces. She reported as follows:

> As the principal, I had to take a philosophical position that I wanted to keep the building as a school, that I didn't mind the added administrative responsibilities of having wide use of the building, and that to me, it was not important who had budgetary control of programs as long as they were non-profit and had a strong administrative component.[10]

This action on the part of the principal made it possible for the school to be maintained.

Summary of Period One

1968 to 1974 was a period in which closer relationships were developing between the school and county governments. The decline in pupil enrollment had begun, but was not taken seriously until the fifth year of decline. New or remodeled schools replaced older ones and neighborhoods did not feel threatened by the loss of "our school."

Issues faced during this period. The construction of a combination school and community center, and the construction of public swimming pools on school property to serve community programs raised the issue of how costs for non-school spaces should be included

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[9]Arlington Public Schools, *Energy Task Force, Final Report* (Arlington, Virginia: School Board, November 3, 1977), p. 3.

[10]Letter from former principal Ms. Ruth Kovacevich to South Orange-Maplewood, New Jersey, Education Task Force, June 26, 1978.

in the school budgets. This issue was resolved with the "community activities budget," a technique which permitted schools to manage non-school program space. This principle was the basis for a subsequent policy which permitted the schools to provide repair service to non-school buildings (primarily former schools) on a reimbursable basis.

The issue of permitting non-school programs to occupy available school space was considered. In one case the central office staff of the schools reached agreement with two non-school programs to share a building with a school program on an equitable cost-sharing arrangement. In the second case a principal of a school which was threatened with closure because of underenrollment worked with her community to bring neighborhood groups and services into the building to utilize available space; a political base was established to keep that school in operation. The School Board adopted a policy designed to retain public property in public ownership rather than to dispose of surplus property by sale.

Significant events. Two new superintendents of schools were appointed within a five-year period; the first directed the schools to new cooperative efforts with the county government with the cooperation of the County Manager. The second superintendent was appointed by the School Board with the understanding that "school consolidation was a top agenda item."[11] The community which had become accustomed to school plant improvements and new community uses for older plants faced consolidation efforts during the next period which would threaten their local school.

Enrollment during this period dropped from 26,304 in 1968 to 20,593 in 1974, a 21.7% drop, although the total size of the school plants had increased. The observation of the California Commission that "underutilization of facilities and the poor maintenance of facilities tend to be mutually aggravating conditions"[12] was about to be tested in Arlington. The matter of underutilized school facilities began to surface as an issue.

Period of Issue Clarification—1975 and 1976

This was a short period of important activity which was focused on the clarification of various issues concerning underutilized school facilities. A citizen committee was appointed to investigate the options for the use of school space. Provisions were made to encourage the involvement of the affected communities when considering the reprogramming of excess space. Policies were changed to permit private parties to occupy space under leasing arrangements, and guidelines were established for the management of those leases. The issues of control over surplus property and over the revenue generated through leases or property sales were decided. The importance of a school as a community center was underscored.

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[11]Larry Cuban, "Shrinking Enrollment and Consolidation: Political and Organizational Impacts in Arlington, Virginia, 1973-1978," *Education and Urban Society*, 11(May 1979), p. 370.

[12]California, State of, *A Study of the Utilization of Public School Facilities* (Sacramento, California: Commission on California State Government, Organization, and Economy, 1978), p. 33.

Policy Developments

Despite the COPE report which indicated that enrollment in Arlington schools would continue to decline, the School Board members showed concern over the possibility that property might be needed in the future although it was not needed in the present. Earlier policy action (1972) provided that surplus real property be offered to the County Board before being offered for sale. Concern over future needs led to the adoption of two additional policies in 1975: one to permit interim use of property by non-school programs, and the second to permit transfer by deeds with reverter clauses. These were stated as follows:

> When a school property is surplus to the current school program needs, and there is a reasonable expectation that future school programs may require the property, non-school programs may be permitted to occupy the property on an interim basis.[13]

> When the School Board determines that certain school property is surplus to current school program needs and there is a reasonable expectation that future school programs may require the property, and when the School Board determines that the property should remain in public ownership, the County Board will be invited to request the title to such property with the stipulation that it be returned to the School Board upon request during a mutually agreed time period.[14]

In an effort to combine the three policies and to provide a single set of priorities and procedures, another policy statement entitled "Utilization and Disposition of Real Property" was adopted in September 1975 and the three previous policies were revoked.

Major policy review. In October 1975 a ten-member citizen committee was appointed to consider the propriety of the School Board acting as a landlord, whether or not non-governmental programs should be permitted to lease excess school space, and what should be the proper role of the School Board in the human delivery system for the community (Options for School Space Committee).[15] The committee worked for six months before rendering its final report which recommended certain basic changes in the policy covering the utilization and disposition of real property. The recommendations which follow were adopted by the School Board and incorporated in the policy as suggested by the committee:

1. The School Board should retain possession of all buildings and grounds in or on which schools are, or might possible be conducted.
2. The School Board should lease space or property to private organizations or individuals.

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[13]Arlington Public Schools, ASD 40-9.8 *Retention and Interim Use of School Buildings Temporarily Surplus to School System Needs* (Arlington, Virginia: School Board, May 1975).

[14]Arlington Public Schools, ASD 40-9.9 *Transfer of School Properties to the County Board with the Stipulation that it be Returned on Request* (Arlington, Virginia: School Board, May 1975).

[15]See Appendix A for the charge to this committee.

3. Civic associations, parent-teacher associations, and the school principal should be involved in the consideration of lessees.

4. Administrative arrangements should be made to determine the amount of unused school space annually, the administrative burden of managing the non-school use of space, and an annual cost factor to apply to leases.

5. Priorities, including reduction in rent, should be given to day care centers (young, elderly, or handicapped), and services to the surrounding community.[16]

Policy issues reconsidered. Three issues were disputed by the School and County Boards during this period: control over school property, control over revenues from school property, and debt service on school property which is transferred to another agency of the local government. In June 1975 the School Board declared two schools surplus to school needs and invited the County Board to request transfer of these properties or to enter into discussions regarding what disposition should be made of them. The County Board chairman promptly responded:

> . . . the procedure in the past has been for the schools to be offered to the County, rather than the request originating with the County. In the interest of time, I will interpret your letter as an offer of the two properties and will ask the Board to consider their acceptance. . . [17]

Action to accept the properties was taken by the County Board just three days later, but the matter was not resolved because the School Board was concerned about the debt service remaining on one of the properties. A condition was included in the resolution transferring the properties as follows:

> Be It Hereby Resolved that the real properties . . . be conveyed . . . without consideration, provided that the remaining debt service . . . and all expenses of the transfer are born by other than school funds . . . [18]

It should be noted that the County Board had accepted the properties before they were offered formally; the subsequent records do not show any further mention of the School Board concern about the remaining debt service. The properties were transferred. Neither Board appeared to be guided by the Virginia Code and the opinion of the Attorney General for the Commonwealth of Virginia regarding the sale, exchange, or lease of school property. The opinion of the Attorney General was as follows:

> Authority to determine whether or not property devoted to school purposes should be sold or retained is vested in the local school board.[19]

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[16]Arlington Public Schools, *Options for School Space Committee Final Report* (Arlington, Virginia: School Board, May 10, 1976), pp. 6-8.

[17]Letter from the Arlington County Board Chairman to the Arlington School Board Chairman, June 25, 1975.

[18]Arlington School Board minutes of July 1, 1975 meeting.

[19]1968-69 Opinion of the Attorney General No. 209 in re: section 22-161, *Code of Virginia.*

Although control of revenue generated through the sale of property had been debated by the two boards during the early and mid 1960s, the issue was never completely resolved. It surfaced again as a result of a land sale to which both boards had agreed during the budget planning cycle for fiscal 1977. The sale produced substantially more revenue than had been planned. The additional revenue was sought by both the County Manager and the School Board for different applications. This struggle will be discussed in period three.

Following that mutual decision to generate revenue through the sale of surplus property, the School Board decided to request authorization to sell another property "with the understanding that the proceeds of the sale be applied to school capital needs . . . ."[20] The same resolution authorized the staff to apply for rezoning to increase the sale price potential of the property. The decision to conduct the sale of property by the School Board was a departure from their policy which had been adopted only one month earlier and provided for transfer to the County Board when it was determined that the property should be sold. That policy was stated as follows:

> 4. Transfer of ownership to the Arlington County government for other County purposes including private sale when both the School and County Boards determine that disposal of the property is in the best public interest (Ref. Sect. 15.1-262 and 22-161, Code of Virginia).[21]

The decision to conduct the sale was an apparent attempt to control the disposition of the funds received from the sale. Rezoning of property required action by the County Board. The County Board refused the rezoning application and effectively blocked the sale. This was communicated to the School Board as follows:

> . . . the County Board determined that the property should remain in public ownership for possible alternate public uses. Accordingly, now that you have declared the . . . property as surplus to school needs, the County Board officially requests the transfer of that property to the County at your earliest convenience.[22]

The transfer action was not acceptable to the School Board and the chairman responded by withdrawing the declaration that the property was surplus in a letter which read as follows:

> In the planning that preceded our declaration that the Marshall Annex was surplus to school needs, we recognized that we would experience difficulty in providing the two programs then at the Annex with appropriate housing . . . Because we are not able to provide the conditions and the space elsewhere, we withdraw our previous request and find that the Marshall Annex is not surplus to school needs.[23]

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[20]Arlington School Board minutes of July 15, 1976 meeting.

[21]Arlington Public Schools, ASD 40-9.3 *Utilization and Disposition of Real Property, Rev. June 1976* (Arlington, Virginia: School Board, 1976).

[22]Letter from Arlington County Board Chairman to the Arlington School Board Chairman, September 2, 1976.

[23]Letter from Arlington School Board Chairman to Arlington County Board Chairman, September 10, 1976.

The School Board had legal authority to retain the property, but the proceeds of sale property would be "subject to the appropriation power of the governing body."[24] By withdrawing the declaration of "surplus" they were exercising the only control which they had.

Parallel use. In the fall of 1976 the Superintendent requested a staff study of opportunities and arrangements for parallel use, or occupancy of portions of a building by non-school programs with regular school programs in the same building. The study was conducted and included the following topics: methods of determining excess space; methods of determining rates to be charged on a square foot basis; the need to consider zoning factors; compatability with regular programs; and a means of separating various programs.[25]

Policy Makers

The School Board lost its last Republican appointee during this period so that all five members of the Board were affiliated with the Liberal-Democrat coalition. The County Board was composed completely of Liberal-Democrats in 1975 when they appointed a new County Manager who had been the principal assistant to the former manager who had retired. Because School Board members were not elected, voter satisfaction could be registered at the polls only in the election of County Board members. One school had been closed just prior to the November 1975 election when two Republican candidates won seats from the Liberal- Democratic coalition on the County Board. One must wonder if the school closing had influenced the election. The decision to close the school was made by the School Board in a very hostile atmosphere on a split vote of 4-1 [26] and the Superintendent of Schools described the proceedings as follows:

> Rancorous public hearings filled with furious parents, pleading children, and emotional teachers urged the School Board to reject my [Superintendent] recommendation and keep the school open. Within a few weeks, the Board voted 4-1 to close the school.[27]

Alternatives to closing the school, including the accommodation of non-school programs in available space, were mentioned in some of the appeals but were rejected by the School Board.

Internal Influences

A deteriorating financial picture for the school system in 1976 was one of the reasons which led the Superintendent to consider closing schools which he explained as follows:

> Funds from federal and especially state governments have sharply declined and are uncertain month to month. The County Board is reluctant to make up for the reduction of funding by state

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[24]1959-60 Opinions of the Attorney General No. 310.

[25]Memorandum from Arlington Assistant Superintendent of Schools to the School Superintendent, "Parallel Use Potential in Certain Schools," December 9, 1976.

[26]Arlington School Board minutes of meeting of March 6, 1975.

[27]Cuban, p. 347.

> and federal governments . . . If the Board could lease or sell vacated school buildings, significantly more revenue could be generated.[28]

The activities of one school principal, who sought alternative uses for the excess space in her school in order to maintain the viability of that school despite the loss of pupils, had a profound effect on policy formulation during this time. The Fairlington School housed 225 pupils in 1973 and was considered to be utilized at 56% of its capacity.[29] In January 1975 the alternative use of excess space was a major reason given for taking "Fairlington 'off the list' now for Fall 1975 closure" in a news article which is quoted as follows:

> SOS (Save Our Schools) has proposed that a community center be developed at Fairlington School, including a pre-Kindergarten program and a Senior Adult Center. School Board Chairman Mary Lou Dietrich said she intended to encourage the Fairlington SOS people to pursue its innovations for enrichment of the school's program, despite its small size.[30]

The importance of the school serving as a multi-generational community center had been recognized.

Summary of Period Two

Significant policy matters were considered by both School and County Boards, and a citizen committee examined existing policies in this area in depth. The first decision to sell a portion of a school site occurred when economic conditions required the location of other sources of revenue for the school system. School enrollments continued to drop to 19,635 or 25.4% less than the peak year of 1968.

Issues faced during this period. The School Board became uneasy with the policy of either selling or transferring surplus property to the County Board. They revised their policy position to permit interim use of property which might be needed in the uncertain future, and they provided for a reverter clause in deeds transferring property to the County as a hedge against a longer-range need.

Provisions were made through policy actions of the School Board and the administrative decision of a principal for community involvement in the process of making decisions about underutilized school space.

The issue of converting school properties to current funds was concluded by actions which demonstrated that it would be feasible only when both the School and County Boards were in agreement that it should be done.

Significant events. In 1975 the Options for School Space Committee of citizens recommended broadening the school utilization and disposition policies to accomplish three

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[28]Memorandum from the Arlington School Superintendent to the School Board, "Staff Discussion Paper on the Question of Consolidation," November 15, 1976, pp. 1-3.

[29]COPE, p. 54.

[30]Marilyn Chase, "Fairlington 'off the list' now for Fall 1975 closure," *The Arlington News*, January 30, 1975, p. 5.

things: 1) produce income for the school system; 2) enable the neighborhood to participate more effectively in determining the disposition of surplus property and space; and 3) establish a priority for the use of underutilized school space, keeping in mind the need for alternative uses to be compatible with the school programs.

Implementation Period—1977 to 1979

In the previous time periods major issues had been considered and policies had been established. Economics forced the Superintendent to consider releasing facilities from regular school use, and new construction was halted. The political scene had changed since 1975– "since then there has been a fragile . . . majority."[31] The time had arrived to implement the policies designed to allow for multiple use of school buildings, and to generate revenue from the leasing or selling of school properties. The County Council of Parent-Teacher Associations endorsed this concept as follows:

> We also strongly urge the School Board to retain control of all school properties not in use and to seek authority to find paying tenants to offset building upkeep and, therefore, provide budget relief.[32]

Policy Developments

During the second period both boards had agreed to the subdivision of a school site so that it could be sold and the proceeds applied to the purchase of equipment for a reconstruction project that was being completed. The land had to be rezoned, and the School Board selected zoning for townhouses, which was expected to produce a slightly higher sale price than the single-family zoning of the neighborhood. The immediate neighbors and the patrons of the school were notified by letters and a point of contact was established for further information. Those persons who were interested in offering comments would have an opportunity through the Planning Commission proceedings and the County Board's hearing on the rezoning. The matter went smoothly and the rezoning was granted on September 11, 1976, by unanimous vote of the County Board, the sale being conducted through an auction by the County Sheriff. The price received was two and one-half times the amount expected by the two boards. The School Board immediately identified priority choices for the additional revenue. The County Manager recommended that the County Board defer action on this request for appropriations "until it considers the Schools' total fiscal 1977 financial status."[33] PTAs of each of the two schools which would benefit from the School Board's request for an appropriation to expend the additional revenues corresponded directly with the County Board to show their support and explain their need; the School Board Chairman appealed to the County Board to ignore the County Manager's recommendation. The County Board acted to grant the School Board's request for the additional appropriation.

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[31]Cuban, p. 369.

[32]Arlington (Virginia) County Council of Parent-Teacher Associations, *The County Councilor*, March 1977.

[33]Memorandum from the Arlington County Manager to the County Board, March 8, 1977.

Leasing arrangements. Late in 1976 it became evident that one school building would be closed and another would operate at a reduced size because it would be paired with another school. This reduced-size school was one which had non-school tenants through the activities of its principal. The administrative arrangements for establishing lease rates as recommended by the Options for School Space Committee had to be worked out; the School Board adopted "Guidelines for Multi-use of School Buildings" in May 1977.[34] These guidelines included provisions for a separate fund entitled "Excess Space Management Fund" into which all revenue from leases would be deposited. These guidelines were transmitted to the County Board with a request that "any funds so raised be appropriated for maintenance expenses at any of our school buildings."[35] The County Board chairman expressed agreement by responding as follows:

> We obviously interpret this to be a first step in our mutual desire to lease school buildings for alternative community use . . . the County Board would be willing to consider a revolving fund account which recycles the lease/rent funds back into the maintenance of the school plant. This would achieve our mutual goal of keeping the properties viable pending other changes which may require the buildings to be put back into public school use.[36]

Community involvement. Prospective tenants appeared for each of the two buildings. The Fairlington School had accommodated tenants in the past, so that PTA and the civic associations (village councils and citizens' associations in the newly converted condominium community) responded favorably to the information sent to them.[37] Lease arrangements for two rooms in that school were settled with a commercial organization providing day care for the elderly and the infirm.

The second community (Page) requested more information about the lease proposals. While the several organizations participating in the review generally favored the proposals, their responses favored uses which would retain the same character of operation as the elementary school which had ceased to operate. One group favored a private school and another placed that use as second to one which would serve the handicapped. Each urged that a sale or lease return the fair market value of the property. This sentiment was prevalent in the spring of 1977 and was emphasized by a newspaper editor who reacted to a request to convert a junior high school into a continuing education center with the following editorial:

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[34]See Appendix B.

[35]Letter from the Arlington School Board Chairman to the Arlington County Board Chairman, June 7, 1977.

[36]Letter from the Arlington County Board Chairman to the School Board Chairman, August 3, 1977.

[37]Memorandum from Assistant Superintendent of Arlington Schools to the Superintendent, "Space Reprogramming Guidelines, Fairlington and Page," May 13, 1977.

> The idea of turning Kenmore into an extension school is fine as long as someone in government–School Board, County Board, someone–remembers to ask the new tenants for a little rent. Nothing exhorbitant, just enough to make the whole transaction worthwhile. Otherwise Arlington taxpayers will end up once again funding Santa's bag of goodies.[38]

During the course of negotiations, the prospective tenants for the Page School withdrew their proposal to lease space.

A second effort was made during the following month to secure tenants for the Page School which was to be vacated. That also failed, and the Superintendent offered four alternatives:

> Offer the space to groups serving handicapped or children's programs at a rate within their ability to pay.
> Make another broad solicitation from every group which had sought school space in the past, and involve the community in screening the applicants.
> Mothball the plant, or provide space to programs which could cover the utilities and other necessary costs of the plant.
> Sell the property to the highest bidder.[39]

The School Board agreed on the second alternative. Three proposals were received: a private school for the handicapped, a Vietnamese Refugee Committee desiring to establish a Center, and a proposal to establish a Vietnamese Cultural and Social Center under the patronage of the Catholic Church. These proposals were reviewed by the three citizens associations which used the following criterion: "No non-government proposal which did not fully cover costs of operation and provide a return on the capital investment should be considered."[40] Only the school for the handicapped met this criterion, but that proposal was later withdrawn. Both remaining offers could cover only the utility costs for the building. The Superintendent recommended acceptance of the better of those two remaining proposals, and that additional tenants be sought for the remaining space. He recommended also that the term be for the balance of the school year and that new proposals be sought for the following year. Only one group (the one offering the least money) was willing to accept such a short lease term, and the lease was executed. The following Spring, the Superintendent recommended that the "entire Page School be retained for the Alternative School Program and that no space be made available to any group on a lease basis."[41] This action ended the first attempt to lease an entire school building to a non-governmental group.

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[38]Herman J. Obermayer, "Editorial," *Northern Virginia Sun*, April 7, 1977.

[39]Memorandum from the Superintendent of Schools to the Arlington School Board, "Page School Alternatives," August 4, 1977.

[40]Memorandum from the Superintendent of Schools to the Arlington School Board, "Page Reprogramming Proposals," October 12, 1977.

[41]Memorandum from the Superintendent to the Arlington School Board, "Page School Occupancy 1978-79," April 26, 1978.

Internal Influences

Shifting funding patterns and inflation were significant influences during this period, and the opportunity to produce revenue from the capital investments was attractive. This was reflected in the new criteria which were established to guide decision-making procedures for considering which junior high schools should be closed. The criteria were different from those used with elementary schools in at least two respects: other possible program uses for the building and the revenue-generating potential of a building.[42] With the closing of two junior high schools, a task force composed of persons representative of each community and who were selected by both the School and County Boards was established to identify alternate uses for those two buildings and to insure "full and complete discussion with the affected communities of any proposals made."[43] The task force met 14 times, conducted three public workshops, received oral and written reports from potential users of the buildings, and received 700 returns from the 10,000 questionnaires which were distributed. The task force could not reach agreement on specific reprogrammings because of the shortage of prospective tenants meeting their criteria which were as follows:

> That both school buildings continue to be used primarily for educational purposes;
>
> That any use of the buildings and surrounding grounds involve no more than a de minimis adverse impact upon the community;
>
> That no user of the facilities be permitted to rely on off-premises parking, encroach upon the surrounding playing fields, or require any undue expansion of parking facilities;
>
> That there should be no major structural changes in either building;
>
> That existing recreational uses of both facilities be retained;
>
> That the net adverse financial impact to the County resulting from the use of these facilities should be minimized.[44]

The School Board respected these criteria in their subsequent decisions to transform the Gunston building into an adult education-performing-arts-community center, and the Stratford building into an alternative secondary school (grades 7-12). The shared use of Gunston resulted in a cost-sharing arrangement based upon the proportions of usable space occupied by each agency.

Countywide Committee on Planning for Facility Use. With the need to reprogram two major buildings (Gunston and Stratford), and the lease about to expire on the elementary building (Page), the School Board appointed a council of potential user groups as a County-wide Committee on Planning for Facility Use to assist with the balancing of competing interests for the underutilized space. The charge was broad and was stated as follows:

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[42]Cuban, p. 376.

[43]Arlington Public Schools, *Final Report of the Task Force on Use of Gunston Junior High School and Stratford Junior High School Facilities* (Arlington, Virginia: School Board, January 31, 1978), p. 1.

[44]Task Force, p. 2 & 3.

> Identify all possible uses of the facilities and their grounds by the school system, County agencies, and other institutions of public or private education or training, and/or other uses deemed desirable and compatible with the community's interests and needs;
>
> List the committee's recommendations regarding the relative desirability (priority order) of the various uses identified, including those with implications for possible sources of revenue.[45]

The committee had to review 11 buildings which would be affected by the moves. The committee was made up of school-related organizations, citizen groups concerned with specific buildings, a representative of the County Manager, and representatives of the five higher education institutions which served the area. A School Board member chaired the committee. The committee was not able to accomplish the charge given to it, but it did serve a useful function, which was described by the chairperson as follows:

> . . . much of the work of the facilities use "umbrella committee" has been to provide a forum for the expression of separate and often competing interests. If any of them had power to negotiate with the other competitors, it might have been possible to achieve a set of recommendations to which they could all agree, but that has not been the case.[46]

Based in part on the work of that committee, the Superintendent recommended uses as follows: four buildings to be reprogrammed, four buildings to be used as they had been previously, and three buildings to be declared surplus. This made it possible for programs to be relocated in the best facilities and the less adequate buildings to be declared surplus. One County-owned building (a former school) could be released as well. The three properties declared surplus were transferred to the County Board for the following purposes:

> . . . the County Board has indicated that the Woodlawn and Marshall Annex School sites can be programmed into other public uses, and that the Marshall School site will be sold with the net proceeds to be divided equally between the County and the School budgets . . .[47]

The principle for sharing the proceeds of the sale of lands and buildings was established. The Woodlawn School was given over to a novel program which had the support of both boards and was reported as follows:

> Supporters of hospice—special care for dying patients—have won a major victory by convincing the Arlington County Board to

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[45]Memorandum from the Arlington School Board Chairman to the County Board Chairman, "School Board Committees Currently Involved in Studying Possible Future Use of School System Facilities," October 12, 1977.

[46]Arlington Public Schools, *Countywide Committee on Planning for Facility Use, Second Interim Report* (Arlington, Virginia: School Board, January 23, 1978), p. 1.

[47]Arlington School Board minutes of meeting of November 2, 1978.

give them $219,000 and a surplus school building.[48]

Civic association helps manage a building. When the alternative junior high school program was joined with the alternative senior high school program at the Stratford location, the Hoffman-Boston School became reprogrammable. It had served as a secondary school for blacks. After the 1971 resolution of the litigation concerning desegregation, it had housed non-regular school programs. A community center had been added to the building, and the community was concerned over the future use of the building. "One resident suggested that the community 'take the offensive' and submit proposals to the School Board for the building's potential use."[49]

To enable the neighborhood to participate effectively in the reprogramming of the school, a grant was obtained from the Mid-Atlantic Center for Community Education. The grant provided funds for the operation of an office, the employment of part-time community developers, and other activities which permitted the community, through their civic association, to evaluate alternative uses for space in the building. Each prospective tenant was asked to present a specific written proposal and to make an oral presentation to the Civic Association. The Association submitted its recommendations to the School Board, and a mix of rent-paying and non-rent-paying tenants, which were acceptable to the community, was selected. Part of the building, the Community Center, remained under the control of the Recreation Division.

One of the proposals which met community acceptance was received from a foreign embassy to operate a private school for children of their own nationals who resided in the area. The School Board was concerned about disagreements which it might not be possible to resolve because of the diplomatic immunity enjoyed by the embassy. The Board delayed acceptance of this tenant. On advice of counsel, the School Board later refused this proposal and revised their policy regarding leases in order to exclude all those who are not "subject to the laws of the United States, Virginia, and Arlington County" from leasing school space.[50]

At the end of 1978 the School Board decided to close two schools, and at the next meeting the Superintendent recommended a "process for deciding on the use of Fairlington and Custis Elementary Schools" in which he was charged to do the following:

> Identify education program needs for the facilities.
>
> Request the County Manager to identify County needs.
>
> Identify other alternative uses of the facilities.[51]

Each community developed alternative uses.

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[48]Christopher Hanson, "Hospice Backers get $219,000 and a Building," *Washington Star,* October 30, 1978, p. A-1.

[49]Adrienne Washington, "Residents Want to Say What Happens to Old School," *Washington Star,* August 23, 1978, p. C-1.

[50]Arlington Public Schools, ASD 40-9.3 *Utilization and Disposition of Real Property, revised February 1979* (Arlington, Virginia: School Board, 1979).

[51]Arlington School Board minutes of meeting of December 21, 1978.

Fairlington, the community which had many years of community involvement with non-school programs in underutilized space, responded within one month with numerous ways to keep its school in use.[52] Within a few months leases had been negotiated with three tenants who would pay sufficient rents to cover the costs of custodial and utility expenses for the building. The Recreation Division of Arlington County agreed to place a person in the building to manage the leases and the other uses of the building. This management position was funded from County funds which were reserved to assist with the transition of each building (Custis and Fairlington) from school to other uses.

The second community (Custis) identified one tenant as acceptable for its building, and a second one as unacceptable. After discussion, both applied for the necessary rezoning. At the time this study was completed, both tenants were being considered for space-sharing arrangements in the building, but the necessary hearings for the rezoning would require several more months before a decision could be made.

External Influences

School properties (with one exception which was an apparent oversight) in Arlington were zoned "S-3A Special District" to encourage no change in use.[53] When a commercial tenant (Ameri-Care in Home Nursing) expressed interest in occupying two rooms in an operating school (Fairlington), the zoning ordinance would not permit this commercial use in S-3A. Faced with the need to accept rent-paying tenants in underutilized school space, the school administration was able to convince the County to consider changes in the zoning ordinance. The ordinance was changed to permit secondary uses of certain buildings, including schools "for uses of a cultural, educational, recreational, or public service nature."[54] Also included in this category were institutional homes, counseling services, occupational therapy, and similar social services uses in existing structures. This change made it possible to accept non-governmental tenants in public buildings with less rigid application procedures. The character of land use was retained, but the kinds of permitted uses were broadened.

Debt service issue resolved. Late in 1977 the issue of remaining debt service on buildings which had been transferred to the County Board was raised again by the School Board Chairman. There were two quick responses by the County Board Chairman to close the issue. One said very simply, "Please, let's *forget* this issue." The second was less harsh and cited two advantages of keeping the debt service in the school budget. He wrote as follows:

> Keeping the debt service in the school budget may even have helped the school budget by keeping its bases at a somewhat higher amount from which to project inflation allowances, and, because they are only portions of larger school-related issues, it remains easier to continue making the payments from the School Operating Fund.[55]

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[52]Kathy Sylvester, "Fairlington Has 510 Ways to Keep Its School in Use, *Washington Star*, January 24, 1979.

[53]Arlington County, *Zoning Ordinance*, "Section 3, S-3A Special District."

[54]Arlington County, *Zoning Ordinance*, "Section 3-A.9, Secondary Use."

[55]Letter from the Arlington County Board Chairman to the School Board Chairman, August 19, 1977.

No further reference to this issue was found in any subsequent records.

Sharing proceeds of property sales. This issue was apparently discussed in a joint School-County Board work session in the fall of 1977, but no record was found of the discussion of the agenda item which was listed as "sale of surplus school properties and other plans for achieving school savings." The following spring the School Board Chairman advised the County Board that three school properties "were no longer needed for school purposes," and that they wished "to have County Board advice as to the disposition of this property."[56] The County Manager reported his recommendations to the County Board for disposing of the three properties.[57] The School Board took note of the Manager's recommendations and concurred in general, but asked for discussion, noting that "the Manager's recommendation does not indicate the disposition of the proceeds of any rental or lease agreement."[58] The County Board took prompt action, but without any recorded discussion with the School Board, to put the following on record:

1. interest in having one property used as a hospice so that further discussion would be necessary,
2. request that the School Board convey one property to the County Board for use as open space, and
3. a proposal that the third property be sold with one-half the proceeds to go to an open space acquisition fund, and one-half to school capital.[59]

The School Board found this action agreeable, and suggested that the County staff handle the property sale. All three properties were transferred to the County, and the issue of how to dispose of the proceeds of property sales appeared to have been resolved.

Policy Makers

During the 1977-79 period, more citizens became active in influencing policy decisions than previously. Additional schools were closed and were available for reprogramming. Faced with economic problems, the School Board had to convert underutilized school space to other resources.

As citizens became more involved, they expressed concern over the potential damage to their neighborhoods through new programs being accommodated in school buildings. They were concerned about the loss of community identity and the potential loss of open space for community use. Criteria for considering new tenants were established by citizen committees.

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[56]Memorandum from the Arlington School Board Chairman to the County Board Chairman, March 10, 1978.

[57]Memorandum from the Arlington County Manager to the County Board, "School Board Release of Marshall Annex, Marshall and Woodlawn Schools," April 5, 1978.

[58]Memorandum from the Arlington School Board Chairman to the County Board Chairman, April 14, 1978.

[59]*Summary of Final County Board Actions from Recessed Meeting of Tuesday, April 18, 1978* (Arlington, Virginia: County Board, 1978). (Mimeographed.)

Land use agencies became involved to consider changes in zoning ordinances which would permit fair economic return from school properties while protecting the general character of land use in the neighborhood. Political control of the County Board shifted during the last six months of this period, but no underutilized school facilities were brought to their attention for action. Political control of the School Board did not change during this period, but an appointment was made one month before the end of this study. In July 1979 one Republican appointee will break the solid 5-0 majority of the Liberal-Democratic coalition on the School Board.

Issues Resolved During Period Three

The School Board made only one change in policy, the change which required lessees to be subject to the laws of the United States, Virginia, and Arlington County. However, the School Board sought and gained resolution of policy matters outside their control. One of these was the matter of how the schools would profit from converting real estate into income, and another was how debt service on transferred property would be handled. Action on School Board policy which required the Superintendent of Schools to identify under-utilized space annually remained soft; no reports were requested on this item which was part of a four-year old policy.

Community participation in the decision-making process changed several times during this period. Initially the community participated in a review of proposed leases which were about to be executed. This was changed to a structured means of involving the community in setting priorities for the prospective tenants. Another process change permitted the community to screen tenants before they were considered by the School Board. Finally, a process was adopted in which the community searched out suitable tenants and requested the School Board to negotiate lease arrangements with those which were found compatible with the community needs.

Significant Events

The precedent-setting subdivison of a school site in 1977 in order to generate revenue for school capital projects was followed by other land sales. While leases were originally expected to provide income to offset maintenance costs, the latest leases during this time period produced only enough revenue to offset utility and custodial costs; there appeared to be a shift in emphasis from economics to community service.

The acceptance of a grant in 1978 to enable a neighborhood to participate in a meaningful way in the reprogramming of a former school building appeared to be successful. The work of the neighborhood was not completed at the conclusion of this study, but a consensus had been reached and final negotiations were being conducted. The self-activation of the Fairlington community to keep its school building functioning as a center for community activities indicated how strongly persons felt about having a focal point for community life.

Summary of the Development of Policies

The development of policies and guidelines for the management of underutilized school space passed through three distinct periods in Arlington: 1) a period of preparation for an

uncertain future when the decline in pupil enrollment was recotnized and capital projects were questioned; 2) a period of issue clarification after the decline was accepted as a reality and a superintendent was engaged with instructions to consolidate the schools; and, 3) a period of implementation or application of the policies which had been developed and consolidated into a single set of priorities and procedures which recognized both school and community interests.

Political Interactions

For many years Arlington's citizens had participated in political and organizational activities to influence policy decisions. Existing organizations and appointed groups advised officials regarding community values and goals. As schools closed and PTAs transferred their interests to other school locations, local civic organizations participated more actively in the reprogramming of excess schools into community centers, outreach services, or into revenue-producing activities which met community approval. Two civic associations took leadership roles in reprogramming buildings into combinations of necessary and desirable community services as well as in locating rent-paying programs to support the operating costs of the buildings.

During the first period (1968 to 1974) decreases in pupil enrollment became evident. A citizens committee (Committee on Pupil Enrollment) confirmed the estimates that this condition would continue for the foreseeable future and urged that attention be given to the consolidation of schools and to the possibility of non-school use of school space. Reprogrammings which took place during this period were the result of the completion of various capital projects. First, new or expanded school programs were accommodated; second, new or expanded local government programs were accepted in the underutilized space. Attention was given to cost-sharing arrangements for the operating costs of those buildings.

A study completed in 1972 was concluded with a recommendation for a policy change concerning the holding or disposing of school property. That recommendation was that public property be held in public ownership even though it meant the transfer of title to the County for other community programs. This was an alternative to the sale of surplus property. The recommendation was accepted by the School Board.

In addition to the decline in pupil enrollment, the community was affected by desegregation issues which had a bearing on underutilized facilities. A plan was offered to resolve a law suit provided for the continued operation of two buildings with reduced regular school programs. This resulted in the need to find non-regular school uses for the two buildings which previously had housed black students. School and community programs were relocated to these facilities.

The managers of some rental housing units in Arlington changed their policies and subsequently displaced tenants in order to remodel the rental units for resale as condominiums. A large number of housing units were vacant during the conversion process and this affected the enrollment of one school. The principal of that school and the community took the opportunity to attract compatible, non-school programs into the available space. This action had an influence on policies which were developed for underutilized buildings and continued to be a rallying point for the citizen association which was interested in

preserving a public facility in the community. When the decision was made to remove all pupils from that school building, the community found many ways to keep the facility as a center for civic activity. This action resulted in a variation from policy because the plan required only the operating costs (custodial and utilities) to be raised from tenants. Recovery of the capital investment, which was part of the School Board policy, was waived.

There were two new superintendents of schools during the first period. The first was able to create cooperative arrangements with the county government officials; this objective was shared by the County Manager. The second superintendent was charged with the responsibility for consolidating schools as a top agenda item, an action which would result in space for other uses. His second year in office became the first year of the second period, issue clarification.

During the second period, the following issues were clarified: control over school property; control over the proceeds from the sale of school property; handling of debt service on transferred school property, and an economic issue—whether or not to convert surplus school space and property into revenue with which to maintain other school properties. This phase was a period in which a citizen committee (Options for School Space) carried out a major review of policies for the management of underutilized school space. There was a threat to the cooperative arrangements which had developed between the School and County Boards and staffs when the issues of control over property and revenue from the sale of property threatened to divide them. Those issues were resolved as provided in law and in an Attorney General's opinion, although those citations were not found in any record of discussions during this period.

During the third period—implementation—local school communities became closely involved with the reprogramming of schools which were about to be vacated. In one case, a task force made up of the representatives of two communities which were competing for tenants for buildings about to become vacant in their neighborhoods developed a set of criteria which directed attention to the potential impact upon a neighborhood which the reprogramming of a school building could cause. Civic associations took over the active solicitation of tenants as an alternative to having an empty building in their community, or to an uncertain future for the former school. The zoning ordinance was changed to permit acceptance of a broad range of tenants which were likely to be able to afford to pay rent while operating acceptable programs in the available school space. A comprehensive committee, which functioned as a council of existing groups, was unable to resolve priorities for a major reshuffling of spaces, but did serve as a forum so that the concerns of each group could be discussed.

Policies

A review of the literature revealed that there were six areas to examine with respect to policies and guidelines for managing underutilized school facilities: 1) development of policies; 2) identification of underutilized space; 3) alternative use priorities; 4) consideration of alternative use; 5) the process of consideration of the programming or disposition of underutilized school facilities, and 6) financial considerations. A careful inspection of Arlington's policies was made with regard to these six areas.

Development of policies. Arlington had formal policies for the management of underutilized school facilities throughout the period covered by this study. The policies were reviewed regularly: periodically by citizen groups, and annually by the School Board. The basic policy, ASD 40-9.3 Utilization and Disposition of Real Property, was developed from three previous policies in June 1976. A single revision to restrict tenants to those who were subject to the laws of United States, Virginia, and Arlington County was made in February 1979. Guidelines to the implementation of the policy were adopted by the School Board on May 19, 1977, and no revisions were found after that date.

Identification of underutilized space. The basic policy of Arlington included a directive for the Superintendent of Schools annually to discover unused space and to consider the appropriateness of offering it for use by others. No evidence was found that this mandate was implemented. Occasional requests made by potential tenants was considered and occasionally accommodations were found. Usually the identification of underutilized space followed the closure of a school.

Alternative use priorities. Arlington's policy provided for two sets of priorities. First, the use or disposition of property found to be surplus to the day school educational programs would follow this descending order of priority:

1. Other school programs.
2. Other local governmental purposes on a short-term basis.
3. Other local governmental agencies on a long-term basis.
4. Transfer to local government for other purposes or sale.
5. Lease to private organizations or individuals.

Second, the policy provided for priority consideration of leases with day care centers (young, elderly, or handicapped) and services to the surrounding community. This latter priority might take the form of choosing among applicants or in reducing the rent charged.

Consideration of alternative uses. Criteria for school consolidations included consideration of possible other uses for the space and the revenue-generating potential of those buildings being studied. No evidence was found that any weight had been given to those criteria in Arlington. Therefore, it was concluded that reuse and revenue potential were not given serious consideration until after the decision was made to consolidate a school.

Process for considering the reprogramming or disposition of underutilized school facilities. The policy regarding real property provided a process for considering disposition of the property, and required community participation in considering lease arrangements. Specific procedures were outlined for each of the laternative uses covered by the policy.

Financial considerations. A policy was adopted with provisions for an "Excess Space Management Fund." Revenues from leases were deposited in that fund and were reserved for maintenance and capital expenditures on school facilities. No policy was found with regard to the proceeds from the sale of property; that issue was clearly a prerogative of the County Board of Supervisors. The last property sale was authorized with the under-

standing that one-half of the proceeds would accrue to the School Board for capital purposes, but no evidence was found that such a decision would apply to future transactions.

Omissions noted. In the literature it was indicated that some communities actively solicited tenants for underutilized school space, but no policy was found on this subject in Arlington. Arlington's policies did not include any provision for the active solicitation of tenants. Only one record could be found of an aggressive effort by the School Board to seek tenants, and that was accomplished through the use of existing lists of individuals and groups which had inquired previously about using excess school space. In other situations, it was the community members who identified prospective tenants.

Arlington School Board policies for the management of underutilized school facilities are included in Appendix B. The criteria recommended by citizen groups for recognizing neighborhood concerns and addressing them appeared to have been accepted in subsequent actions by the School Board and administration but they had not been converted into formal policies. These criteria are included in Appendix C.

Chapter 4

PROCESS SATISFACTION

The need to involve the community in the decision-making process was noted by many educational authorities in the literature review. There was no consensus about techniques for involving the community, but it was apparent that the process may be as important as the decisions which were reached. One way to evaluate the effectiveness of the process is to survey the participants to determine how successful they perceived the process to be.

Arlington's population was reputed to have a high degree of mobility because two-thirds of the residents live in rental property. The questionnaires were mailed to persons who had been active as long as 10 years previously, and a high rate of non-deliberability was anticipated. Only nine questionnaires (6.29%) were returned by the post office as undeliverable. Fifty-six percent were completed and returned. The average respondent reported being active in five of the years being reviewed. These facts allow for the conclusion that those who participated in the decision-making process tended to be less mobile than the general population.

Those individuals who received questionnaires were invited to list more than one relationship with the activities which influenced School Board policy actions; e.g., a respondent might have been a representative of a local civic association during one period and a member of the School Board during another period. The responses are grouped into categories in Table 2 and approximately one-and-four-tenths relationships are recorded per respondent. This statistic indicated a strong, continuing interest in the process by those who participated.

Table 2

Relationship of Respondents to Policy Actions

Relationship to activities	Number	% f
Member of the School Board	8	8
Central staff member	7	7
Countywide organization representative	11	11
Local school staff or group member	34	33
Individual	17	16
Other governmental official	13	12.5
Miscellaneous	13	12.5
Total relationships listed by 75 respondents	103	
Average number of relationships per respondent	1.4	

In another section of the questionnaire the respondents were asked to indicate the way they had participated in the interactions which affected policy decisions. Four categories of

activities were listed, and one space was provided for respondents to indicate other activities. The other activities which they listed were community surveys, preparing and presenting slide shows, study and preparation, conferences with staff, writing position papers, legal research, talking to neighbors and friends, and distributing materials through the community.

Table 3

Participation of Respondents

Activity	Number	% f
Committees or task forces	49	29
Workshops or seminars	25	15
Public meetings	63	37
Letter writing or telephone campaigns	22	13
Miscellaneous	11	6

Participation was analyzed with respect to the three periods of the study, and it was discovered that the number of persons participating increased in each of the successive periods. Period two (clarification of the issues) participation was 50% higher than in period one (preparation). Participation in period three (implementation) was double that of period one.

Responses to the four questions were structured to show how effective the participants perceived the process to be. The results were analyzed for each period of the study as well as for the entire period of study. The responses to the three levels of satisfaction reported for each question are arranged by time periods. Responses to the question, "Was sufficient information made available for your use?" are reported in Table 4. Responses to the question, "Were satisfactory ground rules for participating established by the School Board?" are reported in Table 5. Responses to the question, "Do you feel that your participation made a difference in the action taken?" are reported in Table 6. Responses to the question, "Do you feel that a correct decision was made based upon all conditions present at the time?" are reported in Table 7.

Table 4

Adequacy of Information Available to Participants

	Very adequate % f	Adequate % f	Not Adequate % f	No opinion % f
Period one–preparation	52	38	10	–
Period two–issue clarification	45	45	9	1
Period three–implementation	42	47	9	2
Overall	47	43	9	1

Table 5

Participant Satisfaction with Ground Rules

	Highly satisfactory % f	Satisfactory % f	Not satisfactory % f	No opinion % f
Period one–preparation	30	53	10	7
Period two–issue clarification	39	47	8	6
Period three–implementation	32	52	10	6
Overall	33	51	10	6

Table 6

Perceived Significance of Participation

	Significant % f	Moderate % f	None % f	No opinion % f
Period one–preparation	40	48	9	3
Period two–issue clarification	38	43	12	7
Period three–implementation	35	43	17	5
Overall	38	45	12	5

Table 7

Acceptability of Decision to Participants

	Very acceptable % f	Acceptable % f	Not acceptable % f	No opinion % f
Period one–preparation	43	36	21	–
Period two–issue clarification	36	44	19	1
Period three–implementation	28	44	27	1
Overall	36	40	23	1

Summary of Participant Satisfaction

It appeared that Arlington had employed a wide range of process activities in order to reach policy decisions which fairly represented community-wide interests, values, and priorities.

Those activities included: appointment of citizen committees and task forces; conducting workshops, open work sessions of the School Board, public hearings, staff conferences with citizens, joint sessions of the School Board and the County Board, and surveys; and using audio-visual materials, correspondence, telephone campaigns, and research.

The general level of satisfaction with the process as perceived by those who responded to the questionnaire was good. Ninety percent of the respondents indicated that they had sufficient information available during the process, and 84% responded that the ground rules for their participation were satisfactory. While 83% stated that their participation made a difference, only 76% reported that they were satisfied that a correct decision had been made. These responses suggest that the participants may have desired to be involved in an even more meaningful way. It was noted that there was a lower level of satisfaction recorded during the implementation of the policies than there had been during the development stage which suggested that the participants may not have understood clearly the potential impact of the policy-making decisions upon a specific situation in which the participants had an interest. It was noted also that a larger number of persons participated in each successive phase of policy development; this finding was an indication of stronger interest as the problem became more tangible.

Chapter 5

CONCLUDING STATEMENTS

The findings of this study were used as bases for developing concluding statements. The findings appear to support the following conclusions.

Political Relationships Should Be Strengthened

While school communities may attempt to remain aloof from partisan politics, they are affected by the political actions which determine how community resources will be distributed. Political action to influence those decisions requires timing, supporters, and strategies. If political relationships can be strengthened before crises arise, the time required to reach a solution to the problem may be lessened.

Policies for Managing Underutilized School Space Should Be Developed

The process of developing policies creates an awareness of the issues, the alternatives, and the constraints in various courses of action. While the process may be pursued more confidently during periods when no crisis is threatening, the decisions will be tested during periods of implementation. Policies are subject to change. The process by which they are created will help to develop a consensus on standards for action. The process of developing policies is as important as the product which it delivers. Pupil enrollment will be declining or shifting for the foreseeable future. Facility needs will be changing. School administrators and school boards should face the issues and develop policies through participative decision-making processes which involve other agencies, the community-at-large, and their own constituents. The processes and the policies which are developed will be a good foundation for action when the need arises. Policies for the disposition and management of underutilized school facilities should be adopted by every school district. Those policies should address such issues as: how much space is needed, and what disposition should be made of any surplus; how to determine the compatibility of non-school programs with school programs and with the surrounding neighborhood; processes by which alternative use of temporarily excess space may be reprogrammed; conditions under which surplus property will be released for other use or sale.

Participative Decision-Making Opportunities Should Be Increased

The strategy of participative decision-making is an effective political action technique. It is a forum for competing interests. It is a means of reaching a consensus on community values and priorities. It is a strategy for gaining help from the broader community for more effective support for a program. The skills required for successful participative decision-making may be acquired through training and practice. Frequent opportunities for participative decision-making should be provided by school administrators in non-crisis situations so that the skills may be developed and improved.

Implications for Further Research

Throughout the study questions arose on certain issues, and the available information appeared to be inadequate. These issues have a relationship to the management of underutilized school facilities and merit consideration for further research.

The Role of the School in Today's Society

Community life styles are changing. Our population characteristics are significantly different than they were 25 years ago when many of our schools were constructed. The needs of people have changed. The problem of underutilized school space can be an opportunity to respond to current and future needs of our communities.

Since school buildings and grounds have an importance to the entire community for more purposes than education of children, school boards and administrators should consider releasing control over them, and relying upon others to provide the necessary facilities for educational programs in accordance with needs which may vary from time to time. The Superintendent of Schools or a designee should meet regularly with the heads of other agencies in order to share common concerns, to learn of community trends in non-educational areas, to anticipate community problems and to work for common solutions, and to redirect the efforts of the schools to assist in a multi-agency approach to community service. School leaders must express a willingness to put the resources of the schools into a pool from which all community services may draw if school directors expect to share other community resources in an equitable manner. The following questions should be addressed:

1. What should be the role of the school in today's society?
2. How would the role of education change if schools became community centers for the delivery of multi-agency services?
3. Who should manage multi-agency facilities?
4. What risk factors must be recognized if school boards continue to act as landlords for underutilized school facilities?
5. Should school boards retain control over school buildings with no school programs in them?

Participative Decision-Making Processes

Participative decision-making techniques are gaining a high degree of acceptability among those who believe that it is important to reach a consensus on major issues. Participative decision-making may take many forms and may result in decisions which have varying degrees of acceptance. Several questions arose as a result of this study:

1. How many persons should be involved in the decision-making process? Are the results significantly different with larger numbers than with smaller numbers of persons participating in the activity?
2. Which is more effective, working through existing organizations or creating new groups to focus on a special issue? If existing organizations are used, how can one be certain that the organizational point of view

is being expressed by the representative rather than an individual point of view?

3. What degree of satisfaction with the process or results is acceptable? How can the degree of satisfaction be improved?

The School Facility as a Focus for Community Life

School buildings are by tradition the places in which formal public education has been conducted. In recent years alternative education programs, emphasis on lifelong learning, and the need for collaborative human service programs have cast doubts about school buildings being controlled exclusively by educators and about school buildings being the best places for certain educational programs. In some communities the names of schools illustrate the changing role which they play in the community. They are called community/schools, community centers, human resource centers, or just centers. It has been demonstrated successfully that school buildings can serve a broader range of ages, programs, time periods, and needs. In those communities where this concept is accepted, the space no longer needed for education as enrollment shrinks is used for other worthwhile community programs. In these cases the local school administrator is supplemented with persons to manage the building and the other programs. A closer partnership is developed between the schools and the other community service agencies in order that the community may have the full return from the investment in community facilities.

Underutilized school facilities are being used to accommodate other necessary community services. Surplus school buildings are being converted to other uses. Concern has been expressed over the impact which new programs have upon a neighborhood. Only one study was found which was aimed at this concern, but the findings were not conclusive. Several questions remain:

1. How much control over the destiny of a redundant school facility can be vested in a neighborhood organization?
2. Does a reprogrammed school facility continue to be a focus for community life?
3. Does the changed function of a reprogrammed school facility change the quality of life in a neighborhood? Does it have an affect on property values?
4. Does the reprogramming of an underutilized school facility aid or impede community development or redevelopment in other ways?

Many more studies are needed to provide a good foundation of data from which school administrators can draw for policy development in conflict areas such as managing underutilized school facilities during periods of declining pupil enrollment.

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Appendix A

ARLINGTON PUBLIC SCHOOLS
Options for School Space Committee

Charge

When school buildings or parts of school buildings become excess to the current school program, the School Board has invited other County governmental agencies to utilize the facilities, or in some cases has transferred facilities to the control of the County Board. In addition, community organizations use facilities for short terms via the rental permit policy.

There are some non-governmental programs which appear to be complementary to regular school programs and which also have needs for space. At present there are no guidelines for handling requests of these programs.

It is proposed that a citizens committee be formed to consider the following question(s) and to recommend guidelines for each.

Questions

1)	Present Role	Should the School Board continue its present practice of considering individually each lease or joint occupancy arrangement and continue to restrict such arrangements to other governmental agencies?
2)	School Board as Landlords	Should the School Board act as a lessor to permit other governmental agencies, non-profit organizations and/or organizations for profit to utilize portions or parcels of school property? (Code of Va. Sec. 22-161).
3)	Youth Serving Agency Leases	Should the School Board permit youth-serving agencies (non-profit or profit-making) to lease available public school spaces? (Code of Va., Sec. 22-161).
4)	Enlarge Role of School Board	Should role of the School Board be expanded into additional service areas for developing human resources by extending use of resources and assuming program responsibilities? (May require legislative action).
5)	Make Schools Tenants	Should the School Board discharge its responsibility "to provide for the erecting, furnishing and equipping of necessary school buildings and appurtenances and the maintenance thereof," (Code of Va., Sec. 22-72) by conveying all school property to the County Board of

Appendix B

OFFICE OF THE SUPERINTENDENT **ASD 40-3.5**
Arlington Public Schools **Feb. 16, 1979**

EXCESS SPACE MANAGEMENT FUND

I. Policy

Revenue from the lease of excess space in functioning and/or vacant schools will be reserved for repairs, renovations, maintenance, and capital expenditures for school facilities.

II. References

School Board action, May 19, 1977, adopting "Guidelines for Multi-Use of School Buildings."

ASD 40-9.3 "Utilization and Disposition of Real Property."

June 7, 1977, memorandum from Diane Henderson, Chairman of the School Board, to Joseph S. Wholey, Chairman of the County Board, requesting authorization to establish a separate fund to be entitled "Excess Space Management Fund" in which revenues from leases would be deposited and that any funds so raised be appropriated for maintenance expenses at any of our school buildings.

August 3, 1977, reply from Joseph S. Wholey, Chairman of the County Board, to Thomas L. Penn, Chairman of the School Board, stating that the County Board would be willing to consider a revolving fund account which recycles the lease/rent funds back into the maintenance of the school plant.

III. Procedures

A. Revenues received by the School Board from leases of school property are to be credited to the Excess Space Management Fund, for which the Director of Facilities is the Functional Unit Manager and the Assistant Superintendent for Finance & Business Management is the Budget Division Manager.

B. Transfers from this fund to the School Operating Fund are made only upon specific approval of identified projects by the School Board.

C. The Excess Space Management Fund may accumulate from one fiscal year to another so that major maintenance or capital projects may be accommodated.

		Supervisors and leasing back from the County Board or lease from other owners, only such space as is needed for school purposes on a 3-5 year term basis (under provisions of Code of Va., Sec. 22-161)?
6)	Amalgamate Human Service Agencies	Should a more comprehensive human resources unit be developed to include education with other community service agencies? (May require legislative action).

The committee will be encouraged to hold hearings or conduct other procedures which will enable it to develop a report and guidelines which should include:

–A means of identifying available space and making it known to prospective users.

–A procedure for applying for space.

–Guidelines for prioritizing applicants.

–Relationships with existing school programs.

–School services and resources which may be extended to successful applicants.

–Restrictions to be imposed on space users.

–Procedures for resolving conflicts during the lease period.

–Means of determining fees or costs.

–Other appropriate findings and recommendations.

–Budgetary and accounting procedures which will display revenue and costs of leasing (as lessee or lessor).

USE OF SCHOOL FACILITIES BY DEPARTMENTS OF ARLINGTON COUNTY

I. Policy

The use of school facilities (buildings and grounds) by departments of the Arlington County Government is encouraged provided this use does not interfere with programs and activities of the schools. Similarly, the schools will be allowed to use the facilities of the County. This joint usage of facilities will be given priority over non-county organizations and be without cost except for the additional labor cost incurred by the owner over and above the normal cost to operate the facility. The user of the building will be responsible for reimbursement for any damages incurred in the use of the facility.

II. References

Sections 22-164 and 164.1 of the Code of Virginia as amended Schools Form No. 07-08040, "Application for Permit to Use School Building" (Rev. 7-72).

III. Procedures

A. *School Use of Recreation Facilities*

Principal, Director, etc.	Initiates request on "Request for use of Facilities" form.
	Retains pink copy of request form for temporary record.
	Sends remaining 3 copies to Division of Recreation & Parks, 300 N. Park Dr., Arlington, Va. 22203.
Recreation Division	Returns white copy of form to originator indicating request approval or disapproval.

B. *Recreation and other County Agencies use of School Facilities*

Requesting Agency	Section supervisor initiates request, sends 3 copies to school involved.
	Retains pink copy of request form for temporary record.

School Principal or Building Manager	Approves or disapproves request with reasons for action. Forwards 3 copies to the Assistant Superintendent for Finance.
Assistant Superintendent for Finance	Returns completed white copy of form to requesting agency, blue copy to school involved, yellow copy to Director of Facilities.

UTILIZATION AND DISPOSITION OF REAL PROPERTY

I. Policy

The School Board shall retain title to all buildings and grounds in or on which schools are conducted.

When a school property is surplus to the current day school educational programs, further utilization or disposition of the property will be made as follows (in order of priority):

1. Authorize use for other school programs or for the support services of the school system.
2. Permit use for other Arlington County governmental purposes on an interim use permit basis when the School Board determines that there is a reasonable short-term expectation that future school programs may require the property; (Ref: Code of Virginia, Sec. 22-164, 22-164.1, 22-164.2; ASD 50-6.3 and 6.3.1, Use of School Facilities).
3. Authorize other Arlington County governmental agencies to occupy (but without transfer of ownership) the facility on a long-term basis with the stipulation that the property be returned to School Board control upon request within a pre-determined period; (Ref: ASD 50-6.3 and 6.3.1, Use of School Facilities and Sec. 22-161, 22-164, 22-164.1 and 22-161, Code of Virginia).
4. Transfer of ownership to the Arlington County government for other County purposes including private sale when both the School and County Boards determine that disposal of the property is in the best public interest; (Ref: Sec 15.1-262 and 22-161, Code of Virginia).
5. Lease space or property to private organizations or individuals (Ref: Sec. 22-161 of the Code of Virginia). Only organizations and individuals who are subject to the laws of the United States, Virginia, and Arlington County shall be considered for lease arrangements. All space-sharing agreements should contain a clause providing for the future imposition of such restrictions on the use of space as might be deemed necessary to prevent interference with the K-12 educational program. The School Board's judgment shall be final with regard to the acceptance or rejection of any application for space-sharing.

II. Procedures

1. *To consider and authorize use for other school purposes or support services or leasing to private organizations or individuals.*

A. The Superintendent will announce the availability of the building, giving a description of its characteristics and the point at which it will become available, to all program directors. Along with the announcement will be an invitation for them to develop proposals for the use of the building. The propoeal should contain: a description of the need; a cost-benefit analysis of the proposal; the source of additional funds needed, if any; impact on existing building use; target date for occupation; any other supporting information likely to be helpful.

B. Civic Associations and PTA's in the area of a potential lease arrangement shall be notified of the pending lease, and shall be allowed time to respond to the School Board. The principal of any school for which shared use is proposed shall review the use application and submit proposed restrictions on the shared use. Factors to consider:

–are there any significant problems or hardships created by the proposed use of the school not likely to be resolved by current procedures or to resolve themselves in a reasonable length of time?

–would the proposed space use provide services to the schools which would assist or enhance academic learning, real world learning, or social-psychological development of school age students in Arlington?

C. The proposals will be examined by the Superintendent and his staff. The following guidelines will be used in this examination:

1) To what extent will the use of the building facilitate the achievement of the objectives of the school system and of the program?

2) From a multi-year perspective, is this building the one most likely to meet the needs of the program or are there others that are or may become available?

3) Does the proposed use and the cost thereof have an acceptable impact on the school budget?

4) Do the benefits projected justify the cost?

5) Will the community likely understand and support the proposed use?

D. After the Superintendent and the staff have completed the examination, the results of this examination and the recommended disposition of the building will be forwarded to the Board.

E. Yearly consideration shall be given by the Superintendent to the following and he may make recommendations as necessary for School Board action:

1) Amount of unused school space and the appropriateness of promoting use of school space by others in the community.

2) Amount of time spent by educational staff in administering the non-school use of school space and any resulting loss in efficiency of educational program.

3) The appropriateness of reorganizing the administrative staff to provide

for a designated property manager over the use of schools by the community.

F. The School Board shall direct the staff to prepare annually a cost projection for the shared use of the space, including amortization of capital as well as maintenance costs. The School Board shall retain the option to subsidize a socially desirable program through a reduction in fees.

G. Each application for the lease of space shall be considered individually and on its own merits. Any applicant for space who applies to the Board for a reduced rental rate shall, at the pleasure of the Board, file a full accounting of the financial status of that organization.

H. Priority consideration shall be given by the School Board to the following: (Priority may take the form of choosing between applicants for the same space, or it may take the form of reductions in the amount of rent charged.)

a) Day Care Centers (for the young, elderly or handicapped).

b) Services to the surrounding community.

2. *To consider short-term use for other Arlington County government purposes.*

A. The Superintendent of Schools shall determine when, for a short term, a school property will not be needed for school purposes and certify such to the School Board with a recommendation that other Arlington County government agencies by invited to utilize the property.

B. After authorization by the School Board, the Superintendent shall invite the County Manager to identify appropriate candidates for space.

C. Prior to occupancy of the property for other County purposes, the Superintendent and Manager shall propose a use agreement which stipulates the conditions of the use, including responsibilities of each party. Such an agreement may be approved by both the Superintendent and Manager unless the School Board otherwise stipulates.

3. *To consider long-term use for other County government purposes.*

Same procedure will be followed as for short-term, except that the School and County Boards must execute the use agreement described in 2-C above.

4. *To consider transfer of ownership of property to the Arlington County Board.*

Each situation will be reviewed individually by the School Board and the course of action should be reached through discussions with the County Board.

ARLINGTON PUBLIC SCHOOLS
Arlington, Virginia

GUIDELINES FOR MULTI-USE OF SCHOOL BUILDINGS

Individuals and organizations (hereafter both will be referred to as "the organization") may be permitted to enter into lease agreements for portions of or an entire school when such use will not be disruptive or formal school operations, nor endanger the safety and security of the pupils.

Normally, agreements will be for a maximum of one year with renewal options. In unusual circumstances, agreements of longer duration may be permitted.

Permitted uses
The use and user of space as indicated by the agreement cannot be altered during the term of the agreement. No sub-letting will be permitted other than that specified in the original agreement. If any change in the stated purpose for use of space is desired, such change must be approved by resolution of the School Board.

The organization cannot use schools as a mailing address for fund raising or any other purpose contrary to the rules, regulations and policies of the Arlington School Board and these Guidelines for Multi-Use of School Buildings. The school name may not be incorporated into the name of the organization or used in any way as to lead persons to believe there may be a relationship other than a lease between the school and the organization.

Only uses permissible under the zoning law will be allowed. The user must secure a use permit from Arlington County and provide a copy to the School Board (Assistant Superintendent).

Use of space for public purposes within a school may be allowed only if such use will not be disruptive of normal school operations nor endanger the safety and security of the pupils. It is recommended that use be permitted in those schools where: the organization will have its separate access to the school and the organization will have its separate toilet facilities.

A. *Lease rates*
Rates to be charged. We must maintain the posture of recovering costs rather than to be a profit-making venture in order to protect our governmental immunity status.

Separate rates will be calculated dependent upon whether space is taken in a functioning school building or if an empty building is leased. Costs will be calculated as follows:

1) *Portions of a functioning school building*

a) Any direct costs incurred to satisfy the requirements of the lease;

b) Porportionate share, based on square footage under lease, of building operating costs of the preceding year, including:

—custodial labor
—custodial supplies
—utility costs
—$.25 per s.f. for preventive maintenance costs;

c) Amortization of capital investment at 5% (assumes 20 year life);

d) Add 15% for contingencies and administrative costs.

2. *Empty School Buildings*
Rate will be calculated by totaling the following factors:

a) Any direct costs incurred to satisfy the requirements of the lease;

b) Salary and fringe benefit costs of necessary plant supervision to operate mechanical systems and oversee care of the building. Utility costs and cleaning to be purchased by the tenant directly from others;

c) Amortization of capital investment at 5% (assumes 20 year life) which presumes faster depreciation of the facility;

d) Maintenance costs calculated at $.50 per square foot to cover the roof, building shell, exterior glazing, exterior doors and paving;

e) Add 15% for contingencies and administration.

B. *Management of the finances*
In order that this function can be reviewed regularly, separate revenue and expenditure accounts are set up in a separate fund (such as School Food Services) entitled *Excess Space Management Fund,* with the Director of Facilities as Functional Unit Manager and the Assistant Superintendent for Finance & Business Management as the Budget Division Manager.

The money received in reimbursable fees from the agreement will be transmitted to the School Board to be apportioned to the appropriate accounts. Payment will be due on the first of each month in advance.

If the current amount is not received in the Arlington Public Schools' Finance Office by the 10th of the month, a written notification will be sent to the organization advising them that the space will be made unavailable 10 days after date of the notice unless the fees are paid.

C. *Alterations*
Minor alterations to suit the use may be permitted upon review, inspection, consultation with the School Facilities Division, approval from the Assistant Superintendent of Schools, and shall be at the user's cost. Any permits required to allow such alterations must be obtained by the user. Major alternations will not be permitted.

Upon termination of the agreement, and if the agreement so provides, the organization will be required to restore the premises to its original state, unless specifically relieved of this responsibility by the School Board. The organization will be responsible for payment of fees until such time as the restoration is completed. Upon entering the agreement, a cash or performance bond will be posted by the organization to cover the restoration work. The School Board may perform the restoration work using the bond money for said purpose and charging the organization the fees set forth in the agreement until the restoration is completed.

D. *Hold Harmless Requirements*

The organization shall hold harmless and indemnify the School Board for any liability for personal injuries and/or property damage occurring in and/or arising out of said lessee's use of the school building. The organization shall present proof of adequate insurance coverage to the Assistant Superintendent of Schools prior to the agreement being executed by the School Board. It is recommended that this insurance policy provide a minimum of $100-$300,000 property damage and $300,000-$1 million public liability. In those cases where the organization requesting use of space is a County or State of Virginia agency, then a "hold harmless" clause will be sufficient.

E. *Administrative Control*

The organization will be required to comply with all State and County ordinances and regulations regarding the schools, i.e., fire drills.

The organization has administrative charge of its portion of the school building under the general supervision of the principal or person in charge of the total building. However, no one will be allowed to enter a school-occupied building unless the custodian, or another authorized representative of the School Board, is on the premises.

The organization should have no access to the balance of the school building except at the pleasure of the school principal, nor should the students have access to the organization's portion of the building.

F. *Resolution of Problems*

The Superintendent of Schools' decision shall be final to resolve any problems arising from the multi-use of school buildings and grounds, i.e., misuse of the premises, user's conduct, students' conduct in regard to user, etc.

G. *Terminations*

An organization can be expelled from its space without recourse by the School Board upon recommendation of the Superintendent of Schools, if the Superintendent finds the occupancy is disruptive to normal school operations or endangers the safety and security of the pupils.

Short-term agreements, those of one-year duration or less, will have no cancellation clause. Agreements of longer duration will have a cancellation clause which states that the School Board can cancel the agreement, unilaterally and without recourse, for either of the two following reasons:

1) the school building is to be surrendered to another County agency and the School Board is relinquishing title since it is no longer required for educational purposes;

2) the School Board requires the space for educational purposes.

In the event that the School Board cancels the agreement there will be an equity clause to provide reimbursement to the organization for monies it has expended on alterations.

Adopted by Arlington School Board, 5/19/77.

Appendix C

ARLINGTON PUBLIC SCHOOLS

TASK FORCE ON USE OF GUNSTON JUNIOR HIGH SCHOOL AND STRATFORD JUNIOR HIGH SCHOOL FACILITIES

January 31, 1978

CRITERIA GOVERNING FUTURE USE OF BUILDINGS

The Task Force has considered the School Boards' policy statement entitled "Utilization and Disposition of Real Property," adopted in June 1976, and the "Guidelines for Multi-Use of School Buildings," adopted by the School Board on May 19, 1977. Our recommendations are consistent with these policy statements.

The Task Force has *unanimously* concluded that the following specific criteria must govern how both Gunston and Stratford facilities should be used, assuming that either or both of them are not to be used as junior high schools subsequent to June 1978.

–That both school buildings continue to be used primarily for educational purposes;

–That any use of the buildings and surrounding grounds involve no more than a *de minimis* adverse impact upon the community;

–That no user of the facilities be permitted to rely on off-premises parking, encroach upon the surrounding playing fields or require any undue expansion of parking facilities;

–That there should be no major structural changes in either building;

–That existing recreational uses of both facilities be retained;

–That the net adverse financial impact to the County resulting from the use of these facilities should be minimized.

As contained in the Final Report to the Arlington County School Board.

Appendix D

The Setting—ARLINGTON COUNTY, VIRGINIA

At the time this study was made, Arlington was the smallest county in Virginia and it occupied land originally ceded to the federal government to form part of the District of Columbia. That land was reroceded to Virginia in 1846 following a referendum among its residents.[1]

The foundation for citizen involvement in the decision-making processes of their community was laid in 1887 when the first subdivision for residences occurred. The first 20 families in that subdivision "formed a cooperative association to . . . tend to community affairs."[2] This association built the first "community house" in 1892 with public subscription to serve multiple purposes. The facility served as various times as a school, library, church, and recreation center as well as a focus for community activities.

The general population of Arlington County as well as the school membership declined during the 1970s. The general population was 10% lower in 1977 than in 1966.[3] The school membership was reduced by almost 35% percent from 1968 to 1978 (26,000 to 17,000).[4] Family units became smaller and the numbers of young singles and adults over 55 years of age rose during this time.[5]

Arlington had a county manager form of government with five elected members of the County Board of Supervisors. During the period of the study, elections for the County Board included candidates from two political groups—Republicans and a coalition of Independents and Democrats. The annual elections took place with the successful candidates taking office the following January.

The County Board of Supervisors appointed the five-member School Board, each of whom had a four-year term of office beginning on July 1 following appointment. The School Board held open meetings although executive sessions were held occasionally for personnel, land, or legal matters.

The School Board selected the Superintendent of Schools for a four-year term of office from a list of approved candidates which was established by the State Board of Education. The Superintendent was subject to School Board control and direction..

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[1]Arlington County, *A Few Words About Arlington County, Virginia* (Arlington, Virginia: Arlington County, c. 1970).

[2]*Times-Herald* (Washington, D. C.), June 9, 1941.

[3]Arlington County, *Offering Circular for $18,000,000 in Revenue Notes* (Arlington, Virginia: Arlington County, December 1977).

[4]Arlington Public Schools, *School Enrollment, 1961-62 to 1978-79* (Arlington, Virginia: Arlington Public Schools, 1979).

[5]Arlington, *Offering Circular.*

The School Board and the Superintendent held to the theory of local autonomy. In addition to concern for citizen and staff input at the central level, local school advisory committees were appointed by the School Board. One member of the School Board was designated to work with each committee.

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